

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER No. 961 OF 2014
WITH
CIVIL APPLICATION No. 1168 OF 2014**

Smt. Manjula Bharpur Kumar Sharma ... Appellant
Vs.
Janardan Soma Gharat & Ors. ... Respondents

Mr. Anilkumar K. Patil, Advocate for the appellant.
Mr. Sandesh D. Patil, Advocate for respondent no. 1.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **29th January, 2018.**

P.C.:

This Appeal from Order is directed against the order dated 16th June, 2014 passed by the learned Civil Judge Senior Division, Thane below Exhibit 5 in Spl. Civil Suit No. 198 of 2013 thereby refusing the interim relief to grant temporary injunction as claimed by the appellant/original plaintiff. The appellant/plaintiff has filed the suit for declaration and injunction in respect of suit properties. In the suit, the defendants have challenged the status of the plaintiff as widow of Late Bharpur Kumar Sharma.

2. Heard submissions.

3. The suit is of 2013 and the injunction was refused in June,

2014. I am informed that the issues are framed by the trial Court. Considering the nature of relief asked for, the reasons mentioned in the order of refusal of injunction and as the suit of 2013, without going into the merits of the case, the following order is passed:

- (i) The trial Court to proceed with the matter;
- (ii) Parties to cooperate the trial Court;
- (iii) The learned trial Judge to endeavour to decide and dispose of the suit on or before 31st December, 2018.

4. Appeal from Order is dismissed. Civil Application is also accordingly disposed of.

(MRIDULA BHATKAR, J.)