

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 14002 OF 2017

Mohanprakash Kanaram Choudhary & Ors. .. Petitioners
Vs.
Dattatraya Dharma Thakur & Ors. .. Respondents

Ms. Aparna Shinde a/w. Ms. Tejashree Panchal i/b M/s. A & J Law Associates for the Petitioners.

CORAM : V. L. ACHLIYA, J.
DATE : 19th JANUARY, 2018.

P. C. :

1. At the outset, the learned counsel for the petitioners submits that the petitioners restrict prayer in the petition to prayer clause (c) which reads as under:

(c) That this Hon'ble Court be pleased to issue writ of certiorari and/or any other writ, order or directions in nature of certiorari directing the Civil Judge, Senior Division, Panvel, District Raigad to hear and dispose of the application filed under Exhibit 30 and Exhibit 5 pending in Special Civil Suit No. 389 of 2015, immediately.

2. Since the grievance raised in the petition confines to delay in deciding the application seeking temporary injunction (Exhibit 5) and another application filed vide Exhibit 30 in Special Civil Suit No. 389 of 2015 the learned Joint Civil Judge, Senior Division, Panvel, District Raigad, directed to submit the status report in respect of the said

applications and specify the time required to decide those applications. Vide report dated 19.01.2018, the learned Joint Civil Judge, Senior Division, Panvel has reported that both the applications are fixed for argument on 16.02.2018 and those applications will be decided within one month.

3. In view of the report submitted by the learned Joint Civil Judge, Senior Division, Panvel, that the applications will be heard and decided within one month from the next date of hearing i.e. 16.02.2018, no cause survives to prosecute the petition. Accordingly, the petition is disposed of in terms of report dated 19.01.2018.

[V. L. ACHLIYA, J.]