IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 783 OF 2019

Dada Gangadhar Kokane and others .. Petitioners

Versus

Arjun Sitaram Thombre and another .. Respondents

Shri Babasaheb V. Dhage, Advocate for Petitioners.

CORAM : S. V. GANGAPURWALA, J.
DATE : 12TH JULY, 2019.

FINAL ORDER :

. The respondent No. 1 is the original plaintiff, who has filed a suit for perpetual injunction along with an application for temporary injunction. The application below Exhibit 05 for temporary injunction is allowed. The petitioner has filed a miscellaneous civil appeal before the District Court. The appeal is dismissed.

2. Injunction, it appears is in force since December, 2015.

3. Even otherwise, the observations made by the Courts below at the time of deciding temporary injunction application are prima facie in nature. The Court has to decide the suit on the basis of evidence adduced by the parties, dehors observations

made at the time of deciding application for temporary injunction.

4. Considering the above, the writ petition is disposed of with the aforesaid observations. The Trial Court may expedite the disposal of the suit. No costs.

[S. V. GANGAPURWALA, J.]

bsb/July 19