

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.1622 OF 2018

BANSI PANDHARINATH BADE AND OTHERS
VERSUS
MADHUKAR BABAN BADE AND OTHERS

...

Advocate for the Petitioners : Shri Gawali Amol K.
Advocate for Respondent 5 : Shri M.R.Sonwane.
AGP for Respondent 6 : Shri N.T.Bhagat.

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CORAM: RAVINDRA V. GHUGE, J.
DATE :- 11th April, 2019

Per Court:

1 This matter was heard for sometime.

2 The Trial Court had passed an interlocutory order dated 17.02.2016 granting temporary injunction to the Plaintiffs below Exhibit 5 in RCS No.96/2015 by which, Defendant No.5, who is said to be the purchaser of the suit property, was prevented from entering the suit property and was further prevented from creating third party interest or encumbrances.

3 By the impugned judgment and order of the Appellate Court dated 24.11.2017, Miscellaneous Civil Appeal No.41/2016 filed by the purchaser was allowed and the order of injunction was quashed and set aside.

4 It appears that the Petitioners/ Plaintiffs were protected by

the orders of the Trial Court, which continued during the pendency of the appeal. Thereafter, this Court (Coram : V.L.Achliya, J.) passed an order on 10.04.2018 directing the parties to maintain status-quo as regards the suit property.

5 After hearing this matter for sometime, I expressed a view that as the suit has been preferred in 2015 and is at the stage of recording of evidence and keeping in view the protective orders in favour of the Petitioners, the suit could be expedited so as to be finally adjudicated upon on or before 29.02.2020.

6 The learned advocate for Respondent No.5 is agreeable. The learned advocate for the Petitioners is also agreeable. Respondent Nos.1 to 4, who have been served by the court notice, have not caused an appearance in this petition.

7 In view of the above, the order passed by this Court dated 10.04.2018 is continued and the Trial Court is directed to decide RCS No.96/2015 expeditiously and preferably on or before 29.02.2020. The litigating sides would refrain from seeking unnecessary adjournments and would render cooperation to the Trial Court for expeditious disposal of the suit.

8 This Writ Petition is, accordingly, disposed off.