

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11715 OF 2018
(Himmat s/o Jaysing Rajput Vs. Sau Kamalbai w/o Sursing Rajput
(Solanki) and others)

Mr.V.P.Raje, Advocate for the petitioner.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 14/01/2019

PER COURT :

1. The petitioner / original defendant No.1 is aggrieved by the order dated 08/12/2015 passed by the Trial Court granting temporary injunction in RCS No.135/2014 and the judgment and order dated 24/11/2017 passed by the Appellate Court rejecting MCA No.1/2016.

2. Learned Advocate for the petitioner has strenuously criticized the impugned orders. He prays that both the orders be quashed and set aside and application Exh.5 filed by the plaintiff be rejected.

3. I have considered the submissions of the learned Advocate, have gone through the 11 grounds formulated by him and I have also considered the impugned orders.

4. I find that both the Courts below have assigned specific reasons while passing the impugned orders. Merely because a different view could possibly be taken, would not be a ground for causing interference in the impugned order. The suit is of 2014 and as such it would be in the interest of justice that the suit could be decided within a time frame.

5. In view of the above, this petition is disposed of with a direction to the Trial Court to decide RCS No.135/2014 as expeditiously as possible and on or before 31/01/2020.

(Ravindra V.Ghuge, J.)