

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2995 OF 2018

Rani w/o Shankar Bansode

Petitioner

versus

Hanmant s/o Sambhaji Zambare

Respondent

...

Mr.V.P. Latange, advocate for the petitioner

Mr. V.D. Salunke, advocate for the respondent

...

CORAM : **RAVINDRA V. GHUGE, JUDGE**

(Date : 20th March, 2019)

PER COURT :-

1 I have heard the learned Advocates for the respective parties.

2 Though Mr. Latange, learned Advocate strenuously criticizes the impugned order, it cannot be ignored that, after the suit preferred by the petitioner-plaintiff was lodged in 2012, Application Exhibit 5, seeking temporary injunction was rejected by the Trial Court on 6.2.2013. Miscellaneous Civil Appeal preferred by the petitioner-plaintiff was dismissed by the appellate Court vide Judgment dated 6.1.2018. There was no interim relief in favour of the plaintiff in the interregnum.

3 Since the suit is about 7 years old and the oral evidence of the plaintiff has concluded, I deem it proper to dispose of this petition with certain directions.

4 This petition is, therefore, disposed off.

5 The Trial court shall decide RCS No.497/2012 as expeditiously as possible and preferably on or before 29.2.2020. Needles to state, as the suit RCS No.158/08 filed by the respondent - defendant as a plaintiff, is said to have been clubbed along with RCS No.497/2012, both the suits should be decided together.

**(RAVINDRA V. GHUGE),
JUDGE**

vbd