

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

WRIT PETITION NO. 12875 OF 2019

**MOHAMMAD ABDUL SATTAR MD ABDUL GAFFAR AND
OTHERS
VERSUS
SHAIKH KALIMULLA NIYAMATMIYAN AND ANOTHER**

...

Advocate for the Petitioners : Shri S. J. Salunke

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 16th OCTOBER, 2019.

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PER COURT :

1. The petitioners / original defendants in Regular Civil Suit No. 53/2010 are aggrieved by the temporary injunction order dated 03/09/2013 passed below Exhibit 5 clamping injunction upon them and the judgment of the Appellate Court dated 14/07/2017, by which, Misc. Civil Appeal No. 85/2013 filed by them has been dismissed.

2. The learned Advocate for the petitioners has strenuously criticized both the impugned orders. He draws my attention to the eleven grounds formulated in the memo of the petition and prays that the impugned orders be quashed and set aside.

3. Considering that the injunction is operating against the petitioners for the last five years and one month and since the suit is already more than nine years old, I deem it appropriate to expedite the suit.

4. This petition is, therefore, disposed off. The Trial Court is directed to decide RCS No. 53/2010 as expeditiously as possible and in any case, on or before 30/04/2020.

(RAVINDRA V. GHUGE, J.)

shp/-