

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 11218 OF 2019

Bhikan Aatyaji Shejwal

Petitioner

Versus

Shantikumar Babulal Chudiwal
& others

Respondents

Mr. P.A. Kulkarni, advocate for the petitioner.

Mr. N.T. Bhagat, AGP for respondents no. 5 and 6.

CORAM : RAVINDRA V. GHUGE, J.

DATE : 11th September, 2019

PER COURT:

1. The petitioner - original defendant is aggrieved by the interlocutory order dated 05.03.2019, by which, the District Court, while entertaining Regular Civil Appeal no. 64/2019, has continued the injunctory orders against the petitioner.

2. I have considered the submissions of the learned Advocate for the petitioner and have gone through the grounds formulated in the memo of the petition.

3. The petitioner was defendant no. 1 in Regular Civil Suit No. 331/2015 alongwith the Tahsildar and the Sub Registrar, Kannad. The suit was for perpetual injunction. Temporary injunction order

was passed against the petitioner and the defendants. Ultimately, the trial Court dismissed the suit by judgment dated 28.01.2019. By the impugned order dated 05.03.2019, the District Court found it appropriate to continue the said injunction order so as to hear the appeal finally. As such, the injunction order has been operating against the petitioner for more than four years.

4. Considering the above, it would be in the interest of justice to direct the appellate Court to decide the pending appeal as expeditiously as possible, and in any case, on or before 31.03.2020.

5. As such, this petition is disposed off with a direction to the District Court to decide Regular Civil Appeal No. 64/2019 on or before 31.03.2020.

RAVINDRA V. GHUGE
JUDGE

dyb