

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

909 WRIT PETITION NO.3356 OF 2019

MANGALABAI ALIAS PRATIBHA PRALHAD PATIL AND ANOTHER
VERSUS
KESHAV NATTHU PATIL AND OTHERS

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Advocate for Petitioners : Shri Patil Vinod Prakash

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CORAM : RAVINDRA V. GHUGE, J.

Dated: August 06, 2019

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PER COURT :-

1. The petitioners are the original plaintiffs, who are aggrieved by the impugned judgment dated 3.9.2015 passed by the appellate Court, by which, Misc. Civil Appeal No.81 of 2014, filed by the original defendants is allowed and the temporary injunction granted in favour of the petitioners by the trial Court vide order dated 1.4.2013 in RCS No.7 of 2013, has been quashed and set aside.

2. Though the learned Advocate for the petitioners has strenuously criticized the impugned judgment and has drawn my attention to the grounds formulated in the memo of the petition, I find that the ends of justice would be met by expediting the suit, which is six and half years old and the petitioners are without any protection for the last four years.

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3. In view of the above this petition is disposed off. The trial Court is directed to decide RCS No.7 of 2013 as expeditiously as possible and in any case, on/or before 31.7.2020. Needless to state, the observations of the appellate court while dealing with the interlocutory order are restricted to the said stage and the trial Court would not be influenced by any observations appearing in the impugned order.

(RAVINDRA V. GHUGE, J.)

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