

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

WRIT PETITION NO. 14482 OF 2019

DNYANOBA GUNDAJI SHELKE
VERSUS
VISHNUPANT PANDHARINATH SATHE AND OTHERS

...
Advocate for the Petitioner : Shri V. D. Salunke
Advocate for Respondent Nos. 2 and 3 : Shri P. P. More
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CORAM : RAVINDRA V. GHUGE, J.

DATED : 02nd DECEMBER, 2019

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PER COURT :

1. The petitioner / original plaintiff in Special Civil Suit No. 51/2015 is aggrieved by the judgment dated 16/09/2019 delivered by the Appellate Court, by which, MCA No. 54/2016 filed by the petitioner, has been dismissed.

2. It is informed that the plaintiff was protected by the Trial Court till Exhibit 5 application was rejected on 22/07/2016 and was also protected by the Appellate Court till the Appeal was dismissed on 16/09/2019.

3. I find from the record that the petitioner is under protective orders of the Court insofar as the temporary injunction is concerned, from 2015 till 16/09/2019. Now that the Misc. Appeal has been dismissed, the said protection has been vacated.

4. Considering the above, notwithstanding the strenuous submissions of the learned Advocates for the respective sides, I find that the ends of justice would be met by continuing the protection "*status-quo*" granted by the Trial Court and continued by the Appellate Court, till the disposal of the suit.

5. In view of the above, this petition is disposed off with the following directions :-

(a) Special Civil Suit No. 51/2015 shall be decided by the Trial Court on or before 30/06/2020.

(b) The ad interim protection in the nature of *status quo* which was protecting the petitioner over the past more than four years, would continue till the disposal of the suit.

(c) The litigating sides would co-operative with the Trial Court for the expeditious disposal of the said suit.

(RAVINDRA V. GHUGE, J.)

shp/-