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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8039 OF 2016

Anna @ Annu Devu Khot
V/s.

..Petitioner.

Maruti Tukaram Ganmale

..Respondent.

Mr.Shashank Chandrakant Mangle for the petitioner.

CORAM : N.J. JAMADAR, J.

DATE : SEPTEMBER 26, 2019

P.C. :-

Heard learned counsel for the petitioner.

2. In the backdrop of the nature of the controversy and the time lag of almost five years from the passing of the impugned order, whereby the order passed by the learned Civil Judge of grant of temporary mandatory injunction has been set aside in exercise of the appellate jurisdiction, it would not be appropriate to exercise the writ jurisdiction of this Court and entertain the writ petition.

3. Learned counsel for the petitioner would, however, urge that the suit which was instituted in the year 2014, wherein a report of the Court Commissioner has already been

received, may be expedited.

4. In the backdrop of the dispute between the parties, the submission seems reasonable.

5. Hence the petition stands disposed with directions to the trial Court to make endeavour to hear and decide the Regular Civil Suit No.268/2014 as expeditiously as possible and preferably within a period of one year from the date of communication of this order.

All concerned to act on an authenticated copy of this order.

(N.J. JAMADAR, J.)