

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6756 OF 2014

Narayan Gundu Powar .. Petitioner
Vs.
Sou.Indutai Sadashiv Gurav and ors. .. Respondents

Mr.Rajure Vishwanath B., for the Petitioner.
Ms.Jaya Bagwe I/b Ms.Sharmila U. Deshmukh, for Respondent
No.1.

CORAM : M.S.KARNIK, J.

DATE : 15th JANUARY 2019

P.C. :

. The present Writ Petition is filed by the purchaser – original defendant No. 6 in Suit. The trial Court by order passed below Exhibit 5 in Regular Civil Suit No. 69 of 2013 was pleased to reject the application for temporary injunction filed by the plaintiff – respondent No.1. The plaintiff being aggrieved by the order passed by the trial Court below Exhibit 5 rejecting the application for temporary injunction filed Misc. Civil Appeal No. 54 of 2013 before the District Judge -1 at Kolhapur. By the

impugned order dated 21/08/2013, the Appellate Court was pleased to partly allow the Appeal. The prayer of the plaintiff / present respondent No.1 restraining the petitioner – original defendant No. 6 from alienating or creating third party interest in the suit property was allowed till the decision of the Suit.

2. The impugned order is passed on 21/08/2013. Today I am informed by learned Counsel for the respondent No.1 that the hearing of the Suit has commenced.

3. In this view of the matter, I see no reason to interfere with the injunction granted by the Appellate Court restraining the petitioner from alienating or creating third party interest in the suit property till the decision of the Suit as I propose to direct the trial Court to decide the Suit itself as expeditiously as possible and preferably within 12 months from today. Hence, the following order.

ORDER

i) The Petition is rejected.

ii) The trial Court is directed to dispose of the Suit as expeditiously as possible and preferably within a period of 12 months from today.

(M.S.KARNIK, J.)