

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 475 OF 2013

Keshav Ramchandra Patil ... Petitioner
Vs.
Tukaram Hari Patil & Anr. ... Respondents

Mr. Amit Sale, for the Petitioner.
Ms. Anjali Shiledar - Baxi, for the Respondent No. 1.

CORAM : M. S. SONAK, J.

DATE : MARCH 14, 2019

P.C.:

1. Heard learned counsel for the parties.
2. The challenge in this petition is to the judgment and order dated 7/11/2012 made by the learned Appellate Court, vacating the injunction order dated 4/7/2012 made by the learned Trial Judge in Regular Civil Suit No. 146 of 2011.
3. There is no dispute that this Court has ordered to maintain status-quo order in favour of the petitioner. This means that from the year 2012 onwards, there is an injunction order in operation in favour of the petitioner.
4. Therefore, at this point of time the interest of the justice would be served if learned Trial Judge is directed to dispose of

Regular Civil Suit 146 of 2011 as expeditiously as possible and in any case on or before 31st December, 2019.

5. Accordingly, this petition is disposed of by directing both the parties to maintain status quo until the disposal of Regular Civil Suit No. 146 of 2011. The learned Trial Judge is directed to dispose of the said suit as expeditiously as possible and in any case before 31st December, 2019. Both the parties are directed to co-operate with the learned Trial Judge in the matter of expeditious disposal of the civil suit. The civil suit will have to be decided on its own merits and in accordance with law without being influenced by orders made by the learned trial judge, the appellate Court or this Court, at the interim stage. Therefore all contentions of all the parties are left open to be decided by the learned trial judge.

6. This petition is disposed of in aforesaid terms. There shall be no order as to cost. All concerned to act on an authenticated copy of this order.

Sd/-
(M. S. SONAK, J.)