

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7852 OF 2016

Dadaso Bhimrao Hagwane
and Ors.

....Petitioners

V/s.

Suresh Tatoba Hagwane
and Ors.

....Respondents

* * * *

Mr. Surel S. Shah, Advocate for the petitioners.

None for the respondents.

CORAM : SANDEEP K. SHINDE, J.

Thursday, 6th June, 2019.

P.C. :

1. The petitioners are restrained by decree dated 29th December, 2015 from obstructing and interfering with the plaintiffs while taking water from the Well situated in the 31R land out of Gat No.1143/1/4 at Village-Khavaspur, Taluka-Sangola, District-Solapur.

2. Against this decree, Regular Civil Appeal No. 17 of 2016 preferred by the petitioners-appellants is pending in the Court of District Judge-I, Pandarpur. In this Regular Civil Appeal, an application was filed to stay the operation of

the impugned decree which came to be rejected on 25th February, 2016 against which this Writ Petition under Article 227 of the Constitution of India is preferred.

2. Heard Mr. Shah, learned Counsel for the petitioners.

3. Decree of prohibitory injunction is in force against the appellant for more than four years, which if stayed pending appeal, would amount to reversing the decree and allowing the appeal. It is in these set of facts , without addressing the issue on the merits, the learned District Judge-I is requested to decide Regular Civil Appeal No. 17 of 2016 expeditiously and preferably on/or before 31st December, 2019 uninfluenced by the observations made by the trial Judge. With these observations, the petition is disposed of.

(SANDEEP K. SHINDE, J)