

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3742 OF 2015

Shankar D. Morbale .. Petitioner
vs.
Ranjit V. Chavan and ors. .. Respondents

Mr. Amit B. Borkar for the Petitioner.
Mr. R.T. Padwal for Respondent Nos.1 to 3.

CORAM : M. S. SONAK, J.
DATE : 02 APRIL 2019.

P.C. :-

1] Heard Mr. A.B. Borkar, learned counsel for the petitioner and Mr. R.T. Padwal, learned counsel for all the respondents.

2] The challenge in this petition is to the orders made by learned Trial Court and the Appeal Court, to the extent, the said orders do not grant the petitioner any interim relief in respect of a part of the suit property.

3] The record indicates that during pendency of the suit, there was no ad-interim relief in operation. After the learned Trial Judge disposed of the application for interim relief, there was no ad-interim relief operating during pendency of the appeal before the Appeal Court. The impugned order was

made on 27th February 2014, i.e., almost five years ago. At this stage, therefore, it will not be appropriate to interfere with the impugned orders.

4] Rather, the interests of justice will be served, if Regular Civil Suit No. 498 of 2013 is ordered to be disposed of as expeditiously as possible and in any case by 31st March 2020.

5] Accordingly, the impugned orders are not interfered with. However, the learned Trial Judge is directed to dispose of Regular Civil Suit No. 498 of 2013 as expeditiously as possible and in any case on or before 31st March 2020. In disposing of the suit, however, learned Trial Judge should not be influenced by any of the observations in the impugned orders and the suit will have to be decided on its own merits and in accordance with law.

6] Writ Petition is disposed of in the aforesaid terms.

7] All concerned to act upon an authenticated copy of this order.

(M. S. SONAK, J.)