

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10551/2017

Dyanu Nivrutti Yamgar & Ors.

... Petitioners

V/s.

Shrirang Balwant Mazire

... Respondent

Mr.Yogesh Patil for the Petitioners

Mr. Mangesh Deshmukh for the Respondent

CORAM: K.K. TATED, J.

DATED : MARCH 7, 2019

P.C. :

1 Heard. By this petition under Article 227 of the Constitution of India the Petitioner - Plaintiff challenges the order dated 13.06.2014 passed by the Jt. Civil Judge, Junior Division, Pune below Exhibit- 5 in Regular Civil Suit No. 5795/2012 and the order dated 21.04.2017 passed by the appellate court in Misc. Civil Appeal NO.358/2014 confirming the order below Exhibit- 5.

2 In the present proceedings, the Respondent - Plaintiff filed suit simplicitor for injunction which is pending for hearing on merits since 2012. Interim relief granted by the Trial Court and which is confirmed by the appellate court is in force for last more than five years.

3 Considering these facts and in the interest of justice, the petition can be disposed by directing the Trial Court to decide the said suit as early as possible.

4 Hence, following order is passed:

- a. The Writ Petition stands dismissed.
- b. The Civil Judge, Junior Division Pune is directed to decide Regular Civil Suit No. 5795/2012 as early as possible but in any case on or before 31.12.2019.
- c. All contentions of the parties are kept open.

(K. K. TATED, J.)