

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.3867 OF 2017**

Vilas Guruling Rajmane & Anr. ... **Petitioners**  
Versus  
Sakubai Parmeshwar Deshmukh & Ors. ... **Respondents**

.....

Mr.Bhushan Walimbe, Advocate for the Petitioners.

Mr.Santaram A. Tarale, Advocate for Respondent Nos.1 to 3.

....

**CORAM : A.M.BADAR J.**

**DATED : 13<sup>th</sup> NOVEMBER 2019.**

**P.C. :**

1 This petition impugnes rejection of an appeal under Order XLIII Rule 1(r) of the Code of Civil Procedure by which rejection of application of temporary injunction was challenged before the Appellate Court.

2 As the suit is of the year 2014, the learned Counsel for the petitioners/plaintiffs submits that the appeal be disposed of with a direction to the learned trial Court to dispose of the suit expeditiously.

3 In this view of the matter the petition stands disposed of with a direction to the learned trial Court to decide the suit

expeditiously and preferably within a period of one year from the date of receipt of Order of this Court.

4           Needless to mention that all observations made by the learned trial Court and learned Appellate Court while disposing the application for temporary injunction under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure shall have no bearing on disposal of the suit.

**(A.M.BADAR, J.)**