

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3711 OF 2016

Narendra Manik Mhatre

..Petitioner.

V/s.

Mrs.Parvatibai Parmanand Maurya & Ors.

..Respondents.

None for the petitioner.

None for the respondents.

CORAM : M.S.SONAK, J.

DATE : APRIL 5, 2019

P.C.:-

None for the petitioner and the respondents.

2. Challenge in this petition is to the orders dated November 28, 2013 and June 19, 2015 by which the learned trial Judge has dismissed the petitioner's application for temporary injunction.

3. From the aforesaid, it is clear that since 2013 atleast there is no injunction operating in favour of the petitioner. The suit itself is of the year 2012.

4. Therefore, interest of justice will be served if the learned trial Judge is directed to dispose of the suit as expeditiously as possible. At this stage, it will not be appropriate to consider the prayer of the petitioner for interim injunction, which in any case would operate

during the pendency of the suit.

5. Since neither the petitioner nor his advocate is present, it is reasonable to presume that the suit must have been at an advanced stage or even might have been disposed of. If the suit is not yet disposed of, the learned trial Judge is directed to dispose of the same as expeditiously as possible without being influenced by any observations made in the impugned order or for that matter in this order.

6. Registry is directed to forward a copy of this order to the Civil Judge, S.D. Vasai taking up Special Civil Suit No.70/2012.

7. The petition is disposed of in above terms. There shall be no order as to costs.

8. All concerned to act on the basis of an authenticated copy of this order.

(M.S.SONAK, J.)