

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.741 OF 2015**

Mrs. Housabai Baban Pawale	.. Petitioner
Versus	
Tukaram Balkrishna Raut & Anr.	.. Respondents

Mr. Pramod Pawar for petitioner.

CORAM : K.K. TATED, J.

DATE : 10 JANUARY 2019.

P.C:-

. Heard learned Counsel for the petitioner.

2. By this petition under Article 227 of the Constitution of India petitioner original plaintiff is challenging the concurrent finding of fact recorded by both the Courts rejecting petitioner's application below Exhibit-6 for temporary injunction as per the provisions of Order 39 Rule 1 and 2 of Civil Procedure Code.

3. Learned Counsel for the petitioner submits that during the pendency of present writ petition the trial of Regular Civil Suit No.175 of 2008 started.

4. In view of subsequent development writ petition stands dismissed with direction to trial Court to decide Regular Civil Suit No.175 of 2008 on its own merits.

(K.K.TATED, J.)