

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

**Writ Petition No.5136 of 2016**  
**Dnyaneshwar Revatkar Vs. Ramdas Bodkhe & Others**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

Mr. Sheikh Ayyub, Advocate for petitioner

**CORAM : MANISH PITALE, J.**

**DATED : NOVEMBER 22, 2019**

On 18/12/2016, this Court had passed the following order :

“The learned counsel for the petitioner has invited my attention to the order dated 22.06.2016 passed in A.O. No.34 of 2016. He submits that in the two appeals which are pending before the lower appellate Court between the same parties, the Court has passed an order of injunction against the present petitioner, which is the subject matter of challenge in the said A.O., whereas this petition pertains to the order of stay passed by the lower appellate Court in another appeal arising out of the same judgment.

Hence, this writ petition is to be heard along with A.O. No.34 of 2016 after Diwali Vacation, 2016.

The office to obtain appropriate instructions for placing both the matters before the same Court.”

2. It appears that despite the direction of this Court that the present writ petition was to be heard

along with appeal against order i.e. A.O. No.34/2016, the two proceedings were not tagged together.

3. It has been already observed in the above quoted order that this writ petition arises out of an interim order passed in one of the appeals while in the appeal against the order, such interim order passed in connected appeal was made subject matter of challenge.

4. By order dated 20<sup>th</sup> January, 2017, this Court dismissed the appeal against the order and confirmed the interim order passed by the Appellate Court in the connected appeal.

5. Therefore, this Court is of the opinion that the interim order made subject matter of challenge in the present writ petition also deserves to be confirmed by dismissal of the present writ petition. Even otherwise, on hearing the learned counsel appearing for the petitioner and on perusal of writ petition, this Court is of the opinion that no ground is made out warranting interference in the impugned order.

6. Hence, the writ petition is dismissed.

JUDGE