

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

31 WRIT PETITION NO. 3433 OF 2017

MANIK S/O RAMKISHAN VAIDYA
VERSUS
DATTATRAYA S/O GOVINDRAO VAIDYA AND ANOTHER

.....
Advocate for Petitioner : Mr. Venjane Tukaram M.
Advocate for Respondent Nos. 1 & 2 : Mr. Deshmukh Sachin S.

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CORAM : V. K. JADHAV, J.
DATED : 06th JANUARY, 2020

PER COURT:-

1. During pendency of this Writ Petition, by order dated 15.03.2017, this Court has directed the parties to maintain status-quo in respect of possession of the suit property as on the date of the order. It is part of record that the trial court has protected possession of the petitioner/plaintiff over the suit property by issuance of the order of temporary injunction and during pendency of the appeal before the District Judge preferred by the respondents/defendants, the said order was not stayed. Even though learned District Judge, in the appeal, has taken a different view and quashed and set aside the order passed by the trial court issuing temporary injunction order in favour of the petitioner/plaintiff, this Court by order dated 15.03.2017 has

directed the parties to maintain status-quo. Even by order dated 10.12.2018, when the petitioner/plaintiff has brought to the notice of this Court the continued disturbance by the respondents to his possession, this Court has directed the respondents not to escalate the situation and the respondents are expected to maintain status-quo in respect of the possession of the suit property as ordered earlier.

2. In view of the above, the status-quo order granted by order dated 15.03.2017 read with the order dated 10.12.2018 shall remain continued till disposal of the suit and the trial court shall decide the suit as expeditiously as possible. The petitioner/plaintiff may file an application for deciding the suit in a time bound manner and upon filing such application, the trial court may consider the same.

3. The Writ Petition stands disposed off.

(V. K. JADHAV, J.)

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