

Tandle

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14394 OF 2016

Yogesh Narshinha Wable & Anr. ... Petitioners.

V/s

Sanjay Yashwant Dhumal & Anr. ... Respondents.

Mr. G. S. Godbole i/b Kaustubh Thipsay for the Petitioners.

Mr. R. S. Mirpury for the Respondent Nos.1 and 2.

CORAM : A. S. GADKARI, J.
DATE : 12th MARCH, 2020

P. C. :

1. By the present petition under Article 227 of the Constitution of India, the petitioners–original defendants have impugned Order dated 1st July 2016 passed in Misc. Civil Appeal No. 60 of 2014, dismissing the said Appeal and confirming the Order dated 24th October 2013 passed below Exhibit-54 under Order 39 Rule of the Code of Civil Procedure (for short “CPC”).

2. The said Application below Exhibit-54 filed by the petitioners for modification of Order of injunction passed under Order 39 Rule 1 of CPC.

3. The record indicates that, from the date of filing of the present Petition no ad-interim relief granted by this Court.

It is submitted across the bar that, the suit is ripe for hearing and scheduled for recording of evidence of the parties.

4. The suit filed by the respondents is of the year 2008. In view

thereof, the learned Judge, 4th Joint Civil Judge, Junior Division, Pune seized of Regular Civil Suit No. 1183 of 2008, is hereby directed to expedite the hearing of the said suit and to make an endeavour to conclude it within a period of 15 months from today.

Petition is disposed of in the aforesaid terms.

5. It is needless to mention that, the Trial Court shall not get influenced by the impugned Order dated 1st July 2016 passed by the learned District Judge – 10, Pune in Misc. Civil Appeal No. 60 of 2014 and/or any other interlocutory Orders passed therein, at the time of hearing of the said suit and will decide the said suit as per the provisions of law.

(A. S. GADKARI, J.)