

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8644 OF 2019

Shivaji B. Babar
V/s.

...Petitioner.

Suresh D. Babar

...Respondent.

Mr. Prasad Kulkarni i/b Mr. R. M. Haridas for the Petitioner.
Mr. B. S. Shinde for the Respondent.

CORAM : N.R. BORKAR, J.
DATE : 20.08.2021.

P.C. :

1. Mr. Prasad Kulkarni the learned counsel for the petitioner submits that the arguing counsel Mr. R.M. Haridas is in personal difficulty and seeks adjournment.
2. This petition takes an exception to the order passed by the learned appellate court dated 8.1.2019.
3. The petitioner, the original plaintiff, had filed an application for temporary injunction vide Exhibit-5. The trial court rejected the said application by order dated 4.5.2017.
4. The learned appellate court dismissed the appeal filed by the petitioner against the order of trial court dated 4.5.2017 by the order impugned.
5. There is no interim order in favour of the petitioner in the present petition which is filed in the year 2019.

6. Admittedly, the petitioner has filed the suit in the year 2015 and since then there is no interim injunction in favour of the petitioner. Considering the facts and circumstances, I am not inclined to interfere with the impugned judgment and order. The trial court, however, is directed to decide the suit, as expeditiously as possible and in any case within one year from the date of receipt of copy of this order.

7. With aforesaid directions, Writ Petition stands disposed of.

[N.R.BORKAR, J.]