

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7819 OF 2021

Balu Baburao Kadam .. Petitioner

Vs.

Vithal Narayan Kadam & Ors. .. Respondents

...

Mr. Pradip R. Kadam for the petitioner.

Ms. Sheetal Kohad for respondent Nos.1 and 2.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 23RD NOVEMBER, 2021.

P.C:-

1. The present petition poses a challenge to the order dated 28/11/2019 passed by the District Judge, Sangli in Misc. Civil Appeal No.173 of 2017 by which the appeal of the respondents is allowed, necessarily the order passed by the trial court below Ex-5 in Regular Civil Suit No.137 of 2017 is vacated.

2. The said position continued since 28/11/2019 and there is no injunction in favour of the plaintiff since the date of passing of the order dated 28/11/2019. Considering the situation that the

suit is filed by the plaintiff in the year 2017 for permanent injunction, the interest of justice would be served if the Civil Judge, Junior Division, Kadegaon, Sangli is directed to take steps to expeditiously dispose of the suit itself within a time bound manner and, a period of one year can be fixed for conclusion of the proceedings in Regular Civil Suit No.137 of 2017.

3. With the aforesaid direction, maintaining the position as it stands on the day of passing of the impugned order dated 28/11/2019, the writ petition is disposed of.

4. Learned Judge is requested to make all endeavours to dispose of the proceedings within one year from today. Needless to say that the petitioner and the respondents shall render their co-operation to the learned Judge for expeditious disposal of the suit.

[SMT. BHARATI DANGRE, J.]