

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.628 OF 2019
A/W
CIVIL APPLICATION NO.712 OF 2019
A/W
INTERIM APPLICATION [STAMP] NO.6375 OF 2021

Sadashiv Shankar Raut and others.] Appellants

Vs.

Vijay Shankar Sahastrbudhe]

(Since deceased) through his Legal Heirs;]

Shubada Vijay Sahastrbudhe and others.] Respondents

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Mr. A.S. Khandeparkar a/w Mr. Rakesh P. Saroj, for
Appellants/Applicants.

Mr. Prasad B. Kulkarni, for Respondents No.17A and 17B.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 30th MARCH, 2021.

P.C.

1. Heard Mr. Khandeparkar, learned Counsel for the appellants for some time.

2. The trial Court has refused temporary injunction to the appellants by the impugned order dated 20th March, 2019 passed below Exhibit 5 in Special Civil Suit No.10 of 2019.

3. Looking to the subject matter of the suit and number of litigating parties, it would be in the interest of justice to direct the trial Court to decide the suit itself on its own merits, in accordance with law as expeditiously as possible in the following terms;

[a] The respective parties shall appear before the trial Court on 26th April, 2021 at 10.30 a.m.;

[b] The learned Civil Judge shall frame necessary issues;

[c] The parties shall, thereafter, adduce their respective evidence without seeking unnecessary adjournments;

[d] The trial Court shall, as far as possible, decide and dispose of the suit within one year from the date of framing of the issues;

[e] The parties shall maintain *status-quo* as on today till the suit is disposed of on merits.

4. The appeal stands disposed of.

5. In view of disposal of the appeal, pending applications stand disposed of.

[PRITHVIRAJ K. CHAVAN, J.]