

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4220 OF 2021

Kalpana Sandip Patil .. Petitioner
Versus
Motiram Mahadev Bhoir & Anr .. Respondents

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Mr.Ashutosh R. Gole for the petitioner.
Mr.Ashok T. Gade for the respondent.

CORAM: BHARATI DANGRE, J.
DATED : 25th OCTOBER 2021.

P.C:-

1 By the present Writ Petition, a concurrent finding in favour of the original plaintiff entitling him for an injunction is sought to be challenged. Exhibit-5 came to be allowed by the Civil Judge, Sr. Division on 3rd September 2018 and the Appellate Court by its order dated 20th February 2020 has confirmed the said order.

2 It is informed that the Suit is now scheduled for evidence. The order of injunction is in operation since almost three years as against the present petitioner. Interest of justice would be better served if the order is continued to remain in force

till the final decision in the Suit being RCS No. 565 of 2018 and by consent, the parties submit that they shall render all their assistance to the learned trial Judge in concluding the Suit on or before 31st May 2022.

3 With the aforesaid consent being arrived at, the learned Civil Judge, Sr. Division, Thane is requested to culminate the trial of RCS No. 565/18 on or before 31st May 2022.

4 Writ Petition is disposed of accordingly.

5 Needless to state that all rival contentions of the parties are kept open, to be re-iterated in the trial.

SMT. BHARATI DANGRE, J