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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8643 OF 2016**

Mr. Suresh Nanchand Shah and Ors. Petitioners

V/s

Sou. Surekha Ambadas VaidyakarRespondent.

Mr. Vijaykumar A. Garad for the Petitioner.

Mr. Dilip Bodake for Respondent No.1.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 25, 2021

P.C.:-

1] The learned Counsel for the Petitioner is assailing the order of injunction on the ground that there is no prima facie case in favour of the Respondent/Plaintiff and by the order impugned, Petitioner is restrained from interfering with his possession and enjoyment.

2] The learned Counsel for the Petitioner would also invite attention of this Court to certain factual matrix so as to substantiate his aforesaid case.

3] Having regard to the fact that order of injunction is in operation

for last about 5 years and in the suit recording of evidence is going on, in my opinion, no indulgence is called for. Petition is disposed of.

4] The order passed by the lower appellate court shall continue to operate till decision of the suit. Hearing of the suit is expedited. In any case, suit be decided within a period of one year from today.

(NITIN W. SAMBRE, J.)