

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 14135 OF 2018

Ganesh @ Ganpati Devappa Patil	... Petitioner
Vs.	
Jalindar Dadaso Patil & Anr.	... Respondents

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Mrs. Ankita Naik i/b. Advocate Koparkar for the Petitioner.
Mr. Sandeep Koregave for the Respondents.

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CORAM: MADHAV J. JAMDAR, J.

DATE : 9th MARCH, 2021.

P. C:-

1. Heard Advocate Ankita Naik for the Petitioner and Mr. Sandeep Koregave for the Respondents.

2. The Petitioner who is the original Defendant No.2 has challenged by way of present Writ Petition, order dated 11th July, 2016 passed by the learned Joint Civil Judge, Junior Division, Peth Vadgaon below Exhibit-5 in Regular Civil Suit No. 19 of 2016 and order dated 16th February, 2018 passed by the learned District Judge No.6, Kolhapur in Misc. Civil Appeal No. 174 of 2016.

3. By the said order dated 11th July, 2016, the learned Trial Court has allowed the Application at Exhibit-5 and temporarily restrained the Defendants or anybody claiming through them from obstructing the possession of the Plaintiff over the suit property, selling it or creating any third party interest upon it and digging it or carrying

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out any construction over it. The said order was confirmed by the Learned Appellate Court by order dated 16th February, 2018. The injunction granted by the learned Trial Court as confirmed by the Learned Appellate Court is operating since 11th July, 2016. In these circumstances, I am not inclined to interfere with the impugned orders.

4. At this stage, the learned Counsel appearing for the Petitioner requested that the hearing of the suit be expedited. Mr. Koregave learned Counsel appearing for the Respondents states that issues are framed on 9th July, 2018, list of witnesses was filed on 18th September, 2018 and affidavit of evidence of the Plaintiff was filed on 6th June, 2019.

5. In the aforesaid circumstances, the hearing of Regular Civil Suit No. 19 of 2016 pending in the Court of Civil Judge, Junior Division, Peth Vadgaon is expedited. The learned Trial Court is requested to dispose of the said suit expeditiously and in any case within a period of two years from the communication of this order. The Writ Petition is disposed of in the aforesaid terms.

(MADHAV J. JAMDAR, J.)