

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

943 WRIT PETITION NO.6538 OF 2017

DATTATRAYA KERBA LONKAR AND ANOTHER
VERSUS
BHAUSAHEB BAPU JANJIRE AND OTHERS

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Advocate for Petitioners : Mr. S.R. Sapkal h/f. Mr. V.D. Sapkal, Sr.
Counsel

Advocate for Respondents 1 to 3 : Mr. R.R. Karpe

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CORAM : SMT. BHARATI H. DANGRE, J.
DATED : 09/02/2022

PER COURT :

1. Present writ petition can be disposed of with direction to the Civil Judge, Senior Division, Shrigonda who is seized with Regular Civil Suit No. 22/2014 to culminate the proceedings therein within a period of four months. This direction, in my considered opinion, would serve the interest of justice. Since the application filed by the plaintiff vide Exh. 5 came to be partly allowed on 6.7.2015 by the Civil Judge, Senior Division under which defendant Nos. 1 and 2 were restrained from alienating the suit property in any way till the final disposal of the suit, since the relief of injunction against the defendant was rejected, the plaintiff preferring Misc. Civil Appeal before the District Court at Ahmednagar, which on 31.1.2017 granting order of injunction in favour of the plaintiffs against the defendants.

2. The position as regards to the suit property continue to be governed by the order passed in appeal since 31.7.2017 and since it is informed that the suit is now scheduled for cross examination the Civil Judge Senior Division shall make every endeavour to dispose of R.C.S. No. 22/2014 within a period of four months from today. Needless to state that both the parties shall render their cooperation in disposal of the suit. Needless to state that while determining the suit, the trial Court shall not be influenced by the observations made by the Appellate Court/District Court while granting injunction in favour of the petitioners.

[SMT. BHARATI H. DANGRE, J.]

ssc/