

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

APPEAL FROM ORDER NO. 23 OF 2022

Shankar Dashrath Navpute

.. **Appellant**

Versus

- 1] Amolkumar s/o. Navinchand Patani
- 2] Komalkumar s/o. Navinchand Patani
- 3] Shobhabai w/o. Navinchand Patani

.. **Respondents**

...

Mr.S.S.Naik, Advocate for the appellant.

Mr.S.S.Patil, Advocate for respondent nos.1 to 3.

...

CORAM : S.G.DIGE, J.

DATE : 18.07.2022

P.C. :

1] Heard the learned counsel for the appellant and the learned counsel for respondent nos.1 to 3.

2] The learned counsel for the appellant submits that the appellant has challenged the order passed by the learned District Judge-1, Aurangabad, dated 21st April, 2022 thereby rejecting the application of the appellant [original plaintiff] praying for temporary injunction against the

respondents. Hence, requested to quash and set aside the order of learned District Judge and grant temporary injunction against respondent nos.1 to 3.

3] The learned counsel for respondent nos.1 to 3 submits that if this Court passes the order to maintain status quo, directing the learned Appellate Court to decide the pending Appeal expeditiously, the respondents are consenting for the same.

4] I have heard both the learned counsel. The appellant is praying the relief against respondents not to create third party interest in the suit property, by way of temporary injunction, which is rejected by the learned District Judge-1, Aurangabad. The respondents are ready to maintain status quo till the final disposal of the Appeal, pending before the learned District Judge-1, Aurangabad. It would suffice purpose of the appellant as the respondents are ready to maintain status quo till the final disposal of the Appeal, hence, I pass the following order :-

ORDER

i] Appeal is partly allowed.

ii] The parties are directed to maintain status quo, as on today, till the final disposal of the Appeal pending before the District Judge-1, Aurangabad. The learned District Judge is requested to dispose of Regular Civil Appeal No.100 of 2021, as expeditiously as possible, preferably within six [6] months from the date of receipt of this order.

iii] Appeal is disposed of accordingly.

iv] In view of disposal of the Appeal from Order, Civil Application No.6859 of 2022 does not survive and the same stands disposed of.

**[S.G.DIGE]
JUDGE**

DDC