

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

WRIT PETITION NO. 9084 OF 2022

Narsing Mareappa Paku Parkhe
Since deceased through his L.Rs.
Gangadharbai @ Shobha Narsing
Parkhe and others .. Petitioners

Versus

Maroti Gangaram Chowadhari
and others .. Respondents

Shri Rodge Krishna P., Advocate h/f Shri Anil S. Shivpuje,
Advocate for the Petitioners.

Shri P. V. Gole, Advocate h/f Shri V. D. Gunale, Advocate for the
Respondent No. 1.

CORAM : SANDEEP V. MARNE, J.

DATE : 19TH DECEMBER, 2022.

FINAL ORDER :

. By this petition, petitioners challenge judgment and order dated 11.04.2019 passed by the District Judge – 1, Udgir dismissing petitioner's appeal challenging order dated 19.07.2018 passed by the Trial Court granting temporary injunction in favour of the plaintiffs.

2. As the order of temporary injunction is operational against the petitioners for last about four and half years from 19.07.2018 and trial of the suit is in progress, no purposeful purpose would be served in keeping present petition pending and suffice it to

direct the Trial Court to decide the suit on its own merits without being influenced by the order of the temporary injunction or order passed by the District Court.

3. The writ petition is disposed of. The Trial Court shall decide the suit on its own merits without being influenced by the order of temporary injunction or order passed by the District Court. There shall be no order as to costs.

[SANDEEP V. MARNE, J.]

bsb/Dec. 22