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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 2675 OF 2017

**SHRI. LAXMAN BHUJANGA BOLAKE
@ PATIL AND ANOTHER**

....PETITIONERS

V/s.

**SHRI. TUKARAM NARAYAN BOLAKE AND
OTHERS**

....RESPONDENTS

Mr. Kiran N. Joshi Advocate for Petitioners

**Mr. Ashutosh M. Kulkarni a/w Mr. Akshay Kulkarni Advocate for
Respondent nos. 1 to 4**

CORAM : NITIN W. SAMBRE, J.

DATE: MARCH 28, 2022.

P.C.:

1) Heard. This Petition is by Plaintiff to R.C.S. No. 80/2015 which is for simplicitor injunction based on title.

2) Vide order below Exh. 5 passed on 07/11/2015, learned Court of civil Judge Junior Division, Ajara restrained Respondent from disturbing the possession of the Petitioner over the Suit property, however, in MCA No. 42/2015, said findings are reversed and the

injunction came to be vacated on 14/10/2016. As such, this Petition.

3) On 02/03/2017, this Court has continued the injunction in favour of the Petitioner.

4) I am informed that Petitioner himself and other two witnesses are already examined and the Petitioner shall be concluding his evidence at the earliest.

5) Having regard to the fact that for almost 7 years there operates order of temporary injunction in favour of the Petitioner and the trial has reached at an advance stage, I hardly see any reason which warrants interference with the interim order passed by this Court on 02/03/2017 thereby continuing injunction in favour of the Petitioner till this date.

6) In the aforesaid background, Petition stands disposed of.

7) Ad-interim injunction shall continue to operate till final decision of the Suit.

8) Hearing of the Suit is expedited, to be concluded within period of 6 months from today as the parties hereto assure that they shall be cooperating with the Court below in expeditious disposal of the

Suit. If the Petitioner fails to cooperate in expeditious disposal of the Suit, the Court will be at liberty to put the Petitioner or the parties to the Petition to stringent conditions.

9) Petition stands disposed of in the above terms.

[NITIN W. SAMBRE, J.]