

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Appeal from Order No. 441 / 2021

Junaid Salim Chawdhary

... **Appellant**

Versus

Mr. Taufiq Ahmed Khan and Anr.

... **Respondents**

Mr. Banerjee i/by Naved Salim Chawdhary, Advocate for the Appellant.

Mr. Ramesh D. Kamble, Advocate for the Respondents.

CORAM : SANDEEP K. SHINDE, J.

DATE : 9th MARCH, 2022.

P.C.

Heard.

1. Appellant-Plaintiff, instituted a Suit No.2947/2019 under Section 6 of the Specific Reliefs Act, 1963. Pending suit, he moved an application, seeking temporary mandatory order. The learned trial Court declined that relief vide order dated 5th February, 2022. That order is under challenge in this appeal under Order-43 Rule-1 read with Section 104 of the Code of Civil Procedure.

2. Pending appeal, the parties have filed the affidavit in lieu of evidence. As such, the trial has commenced. In consideration of these facts, I refrain myself from deciding this appeal on merits. Instead I deem it proper to request the trial Court, conclude the trial in Suit No. 2947/2019 preferably on or before 31st December, 2022.

3. All contentions of the parties are expressly kept open.

4. Appeal from order is disposed of.

(SANDEEP K. SHINDE, J.)

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