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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12504 OF 2018

Dattatray @ Dattoba Eknath Tupe
(since deceased by his LRs.)

...Petitioners

V/s.

Murlidhar Ramchandra Badade
(since deceased through Lrs.) and ors.

...Respondents.

Mr. Namitkumar Pansare i/b Mr. Drupad S. Patil for the Petitioners.
None present for the Respondents.

CORAM : N.R. BORKAR, J.
DATE : 17.02.2022.

P.C. :

1. This petition takes an exception to the judgment and order dated 16.08.2017 passed by the learned Ad-hoc District Judge-1, Pune in Miscellaneous Civil Appeal No. 454 of 2014, by which the learned Ad-hoc District Judge dismissed the miscellaneous appeal filed by the present petitioners and confirmed the order dated 09.12.2014 passed by the learned Civil Judge, Jr. Division, Pune rejecting the application filed by the petitioners for temporary injunction.

2. I have heard the learned counsel for the petitioners.

3. The application for temporary injunction was filed in the year 2014. There is no interim injunction in favour of the petitioners since then. I am, therefore, not inclined to entertain the present petition for grant of temporary injunction after eight years. In the result, the following order is passed.

ORDER

- a] Writ Petition is dismissed.
- b] The trial Court shall endeavor to decide Regular Civil Suit No. 1644 of 2012, as expeditiously as possible and in any case within a period of one year from the date of receipt of copy of this order.
- c] Needless to mention that the trial court shall decide the Suit in question, on its own merits and without being influenced by the order passed by it or by the appellate court.

[N.R.BORKAR, J.]