

Nikita

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4465 OF 2022

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Sandeep Nemgonda Patil and Ors. ... Petitioners
V/s.
Sandhya Shamsundar Lokhande and ... Respondents
Ors.

Mr. Sandesh D. Patil i/b Ms. Divya Pawar for the
Petitioners.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 12, 2023

P.C.:

1. The learned advocate for the petitioner states that no detailed reasons for passing of order needs to be assigned. The writ petition arises out of grant of application for temporary injunction restraining defendant from creating third party rights over the suit properties in a suit for partition.

2. Prima facie it appears that plaintiff being co-sharer was held to entitled for the relief. Since both the Courts below have prima facie accepted the case of the plaintiff, in my opinion, it would in the interest of justice that the Trial Court is directed to decide the suit as expeditiously as possible. Hence following order:

- a) Writ Petition No.4465 of 2022 is dismissed.
- b) However, the Trial Court is directed to decide the

Regular Civil Suit No.99 of 2021 within one year from today.

c) It is made clear that the Trial Court shall decide the suit uninfluenced by the observations made in the impugned order or in the present order.

(AMIT BORKAR, J.)