

Prajakta Vartak

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

**APPEAL FROM ORDER NO. 332 OF 2014
WITH
CIVIL APPLICATION NO.380 OF 2014**

Shri Rajesh Bhalchandra Barne ..Appellant
Vs.
Smt. Kamal Maruti Gaikwad & Ors. ...Respondents

Mr. Surel Shah with Mr. Ajit Kenjale for Appellant.
Mr. Pavan Patil for Respondent No.2.
Mr. Rashmin Khandekar with Mr. Abir Patel, Mr. Protyusha Thanawala i/
b. Wadia Ghandy & Co. for Respondent No.9.
Mr. R. D. Soni with Mr. R. Kasse i/b. Ram & Co. for Respondent No.10.
Mr. for Respondents.

**CORAM : G.S. KULKARNI, J.
DATE : JANUARY 11, 2023**

P.C.:

1. This appeal which was filed on 25 February, 2014 assails an order dated 13 November, 2013 passed by the 2nd Joint Civil Judge, Senior Division, Pune, whereby an application filed by the appellant /plaintiff praying for temporary injunction pending the adjudication of the suit has been rejected.

2. Mr. Shah, learned counsel for the appellant has fairly stated that although initially there was some protection granted in the present proceedings, however, the same was subsequently not continued. In the meantime, the learned counsel for the parties agreed that it would have to continue.

3. In the above circumstances, in my opinion, it would be appropriate that the suit itself is decided as expeditiously as possible and all contentions of the appellant/plaintiff and those of the respondents be asserted and urged in the pending suit.
4. The learned trial Judge is directed to dispose of the suit as expeditiously as possible.
5. All the parties shall co-operate the trial Court in the early disposal of the suit.
6. Disposed of in the above terms. No costs.
7. The civil application would also not survive. It is accordingly disposed of.

[G.S. KULKARNI, J.]