

Vidya Amin

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

**APPEAL FROM ORDER NO. 1093 OF 2014
WITH
CIVIL APPLICATION NO. 1318 OF 2014**

Santosh Ganpat Patil & Ors.

... Appellants

Versus

Ganpat Sitaram Patil & Ors.

... Respondents

Mr. Kailas Dewal i/b. Jayesh Joshi for the appellants.

Mr. Rupesh R. Lanjekar for respondent nos. 1 to 28.

Mr. Vishal Kanade a/w. Ms. Jyoti Ghag, Mr. Chetan Pathak, Mr. Shailesh Prajapati, Mr. Vishal Sapre i/b. M/s. Thakore Jariwala & Associates for respondent no. 32.

CORAM: G. S. KULKARNI, J.
DATED: 18 January 2023

P.C.

1. This Appeal from Order is directed against the order dated 10 October, 2014 passed by the learned 6th Joint Civil Judge Senior Division, Thane whereby the application Exh. 5 in Special Civil Suit No. 699 of 2013 filed by the appellants for temporary injunction has been rejected.

2. A perusal of the order would indicate that there are no interim orders passed on the present proceedings. The appeal was filed on 15 November, 2014 pending for admission.

3. It is informed by learned counsel for the parties that the suit has progressed and the evidence of the parties has been recorded.
4. In the aforesaid circumstances, no useful purpose would be served in adjudicating the present Appeal from Order. Appeal from Order is accordingly disposed of with a direction to the learned trial Judge to dispose of the suit as expeditiously as possible. The appellants/plaintiffs are at liberty to move the learned trial Judge for early hearing of the suit. All contentions of the parties in the pending suit are expressly kept upon,
5. Appeal from Order is disposed of in above terms. No costs.
6. In view of disposal of Appeal from Order, Civil Application would not survive and the same is accordingly disposed of.

(G. S. KULKARNI, J)