

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No.8466 Of 2018

Shrikant S/o Governdhandas Loya and anr. Vs. Parag s/o Govindrao Pattiwar and ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Dr. Renuka Sirpurkar, Advocate for the Petitioners
Shri Yash Kullarwar, Advocate for the respondent No.1

CORAM : ANIL S. KILOR, J.

DATED : 21st April 2023

1. Heard.
2. In this petition, a challenge is raised to the order below Exh.5 dated 18.07.2018 passed by Civil Judge Senior Division, Warora and confirmed by the learned District Judge-1, Warora, vide judgment and order dated 17.10.2018, of temporary injunction against the petitioners.
3. The injunction granted by the trial Court was to the effect that not to create any third party interest by the defendant Nos.1 and 2 (present petitioners) and this order has been upheld by the learned lower Appellate Court.
4. Moreover, no interim relief was granted in favour of the petitioners in this writ petition. This petition is pending since 28.11.2018 i.e. more than 4 years. If the order of injunction is considered which was passed on 18.07.2018 i.e. almost 4 years before, thus, the said order is in operation since last 4 years. It is informed that the present stage of the suit is for framing of issues.

5. In the circumstances, I am of the opinion that in stead of going into the merits of the matter, purpose would be served if the trial Court is directed to decide the suit in time bound manner. In the circumstances, I pass the following order:

The writ petition is **disposed of** with directed to the learned Civil Judge Senior Division, Warora to decide the suit namely, Special Civil Suit No.13 of 2018 expeditiously, and in any case before nine months from today.

[ANIL S. KILOR, J.]