

shakuntala

**IN THE HIGH COURT OF BOMBAY AT GOA**

**APPEAL FROM ORDER NO.16 OF 2024**

GOA KSHATRIYA MARATHA SAMAJ THR.  
ITS PRESIDENT SHRI AJIT ALIAS KIRU  
S. POROB AND 8 ORS

... APPELLANTS

Versus

ADITYA MOHAN CHODANKAR AND 19 ORS

... RESPONDENTS

Mr. S.M. Walwaikar with Mr. Sukant Halankar, Advocates for the  
Petitioner.

Mr. Chaitanya Padgaonkar with Ms. Vaishali Mahato, Advocates for  
the Respondents except Respondent no. 2.

Mr. S. Sarmalkar, Advocate for Respondent No.2.

**CORAM:- BHARAT P. DESHPANDE, J.**

**DATED :- 13th June, 2024**

P.C.

1. Heard Mr. Walwaikar learned counsel for the petitioner, Mr. Padgaonkar learned counsel for the respondents and Mr. Sarmalkar learned counsel for respondent no.2.

2. The controversy in the present petition is with regard to suit filed by appellant/plaintiff wherein an application for temporary injunction is pending. The respondent no. 2 filed an application for transposing the said respondent as a plaintiff.

3. It is the contention of Mr. Walawaikar that injunction application is pending since last 6 months and though status quo order was passed

on 01.12.2023, the defendants/respondents are interpreting it in other way. He submits that the learned Trial Court be directed to dispose of the injunction application in a time bound manner.

4. Mr. Sarmalkar and Mr. Padgaonkar submit that application for transposition of the said Samaj as defendant is already argued and the same is now fixed for orders.

5. The Petition could be disposed of by directing the learned Trial Court to pass orders on the application for transposition as well as to hear the application in time bound manner. Needless to mention that appellants as well as the respondents undertake to co-operate with the Trial Court for disposal of such applications.

6. In view of the above submissions and the fact that some status quo order was passed, learned Trial Court is directed to decide the injunction application in a time bound manner and within a period of one month from 18.06.2024, which is the next date fixed for the said matter. Similarly, the learned Trial Court shall decide and pass the orders on application for transposition.

7. It is made clear that this Court has not gone into the merits and contentions raised in the present appeal.

8. All contentions of the parties are kept open.

9. The appeal stands disposed of by directing the learned Trial Court to decide the injunction application within one month from the next date fixed i.e. 18.06.2024.
10. Parties shall co-operate with the Trial Court in disposal of such application.
11. Appeal stands disposed of in above terms.
12. Parties to act on an authenticated copy of this order.

**BHARAT P. DESHPANDE, J.**