

VRJ

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

WRIT PETITION NO.5111 OF 2017

Baburao Dhondappa Patil ... Petitioner
V/s.
Rani Rajesh Patil & Ors. ... Respondents

**WITH
CIVIL APPLICATION NO.1246 OF 2017
IN
WRIT PETITION NO.5111 OF 2017**

Baburao Dhondappa Patil
Since Deceased Through His Legal Heirs ... Applicant
V/s.
Rani Rajesh Patil & Ors. ... Respondents

Mr. Ashutosh M. Kulkarni with Mr. Akshay Kulkarni for
the petitioner/applicant.

Mr. Rushabh D. Phade for respondent Nos.1 to 3.

CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 25, 2024

P.C.:

CIVIL APPLICATION NO.1246 OF 2017

1. For the reasons stated in the civil application, the same is allowed in terms of prayer clauses (b) and (c).
2. Necessary amendment to be carried out forthwith.

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3. The petition challenges orders passed by the Courts below rejecting interim relief sought by the petitioner-original plaintiff. Since the institution of suit i.e. since 2014, there is no interim relief against the defendant. Hence, keeping all questions raised in the petition open to be agitated at the time of final hearing of the suit, the writ petition stands disposed of.
4. The Trial Court shall decide the suit expeditiously.

(AMIT BORKAR, J.)