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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9127 OF 2024

Bharat Harischandra More

Petitioner (Orig.  
.. Plaintiff)

**Versus**

Ananda Narayan Sargar and Anr.

.. Respondents

- .....
- Dr. Uday Warunjikar a/w. Jenish Jain i/by Mr. Siddhesh Pilankar for Petitioner.
  - Mr. B.A. Lawate, Advocate for Respondents.
- .....

**CORAM : MILIND N. JADHAV, J.**

**DATE : JULY 23, 2024.**

**P.C.:**

- 1.** Heard Dr. Warunjikar, learned Advocate for Petitioner and Mr. Lawate, learned Advocate for Respondents.
- 2.** Present Writ Petition takes exception to the impugned order dated 08.05.2024 which is at Exhibit “H” – page No.58 of the Writ Petition. Application below Exhibit “5” filed by the Plaintiff for seeking temporary injunction is rejected by order dated 19.10.2022.
- 3.** Both the learned Advocates appearing for the respective parties agree that directions should be passed for disposal of the Misc. Civil Appeal as expeditiously as possible.
- 4.** Without giving any imprimatur of this Court on the issue of facts and more specifically in view of the reasons that are appearing in

the twin Exhibit “5” orders passed against the Plaintiff, without delineating and opining on any merits of the matter, the learned District Court is directed to dispose of Misc. Civil Appeal as expeditiously as possible and in any event within a period of eight weeks from today.

**5.** Needless to state that the learned Trial Court shall not be influenced by any of the observations and findings returned in the Exhibit “5” order before the learned Trial Court as also in MCA while deciding the Suit proceedings on the basis of its own merits.

**6.** It is clarified that parties shall not take any unnecessary adjournments and the Trial Court shall grant adjournment only if it is utmost necessary due to any emergency / exigency.

**7.** Parties are directed to cooperate with the District Court for expeditious disposal of the Misc. Civil Appeal.

**8.** All contentions of both the parties are expressly kept open.

**9.** With the above directions, Writ Petition is allowed and disposed.

**[ MILIND N. JADHAV, J. ]**

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