

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

WRIT PETITION NO.17971 OF 2024

Anusayabai Dhavji Patil and Ors.	.. Petitioners
Vs.	
The State of Maharashtra, Through Ministry of Co-operation and Ors.	.. Respondents

Mr. Vaibhav V. Ugle, Advocate for the Petitioners.

Smt. D.S. Deshmukh, Assistant Government Pleader for the Respondent-
State of Maharashtra.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 9TH DECEMBER 2024.

PC. :

1. The learned counsel for the petitioners submits that the petitioners have filed Special Civil Suit No.515 of 2023 for specific performance of an agreement entered into with the respondent no.2. The application for temporary injunction was however rejected by the Trial Court. Thereafter the petitioners have preferred a Miscellaneous Appeal challenging that order. In the light of the fact that the petitioners' Miscellaneous Appeal is pending before the District Court, it would be open for them to make a request before the Appellate Court to consider the prayer for interim relief in that Appeal.

2. In that view of the matter, we are not inclined to exercise discretion in favour of the petitioners. In case any such request for expeditious

consideration is made by the petitioners, the Appellate Court shall consider the same in accordance with law. All points on merits are kept open. The writ petition is disposed of.

3. Parties to act on authenticated copy of this order.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]