



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

WRIT PETITION NO.1144/2024

Natthu S/o Ratiram Karemore

...Versus...

Kamal W/o Ramkumar Hatwar and another

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

Court's or Judge's orders

Mrs. S.P. Deshpande, Advocate for petitioner
Mr. V.D. Muley, Advocate for respondents

CORAM : N.R. BORKAR, J.

DATE : 08/07/2024

1. This petition takes exception to the common order dated 08/11/2023, passed by the District Judge, Bhandara below Exhs.5, 36 and 37 in Regular Civil Appeal No.34/2020.
2. The respondent No.1 herein had filed suit for partition and separate possession against the present petitioner and respondent No.2. On 22/01/2020 the trial Court dismissed the suit. Against the dismissal of the suit respondent No.1 has filed the above appeal.
3. By the order impugned, the application filed by respondent No.1 for temporary injunction came to be allowed and the present petitioner is restrained from creating third party interest in the suit property.
4. There is no dispute that even prior to the passing of the impugned order, in the year 2020, the order of *status quo* was passed and the same was continued from time

to time. In that view of the matter, instead of examining the order impugned on merit, it would be appropriate to direct the learned District Judge to decide Regular Civil Appeal No.34/2020 as expeditiously as possible. The learned District Judge, shall endeavour to decide the appeal in question within a period of three months from the date of receipt of copy of this order. All contentions on merits of the matter are kept open.

5. The writ petition is disposed of in the aforesaid terms. No order as to costs.

(N.R. BORKAR, J.)