



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

WRIT PETITION NO.3747 OF 2024

Rahul S/o Vijayrao Sarniak, Village chinchamba-pen Tq. Risod, Dist. Washim

-VS-

Govind S/o Kantilal Bagdiya, Gajanan Nagar, Risod, Dist. Washim

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri V. B. Bhise, Advocate with Shri Abhay Dhage, Advocate for petitioner.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : July 04, 2024

P. C.

1. Heard.

2. Since the order proposed to be passed is innocuous, notice on the respondent is dispensed with.

3. In a suit for declaration, temporary injunction was ordered on 05/11/2022 which is upheld up to the Apex Court.

4. Since the order of injunction was in favour of the petitioner, he invoked provisions of Section 151 of the Code of Civil Procedure, 1908 by filing Application Exhibit-49 before the Civil Judge (J.D.) Risod seeking police protection which proceedings are informed to be pending before the said Court. It is claimed that inspite of hearing being concluded on the said application, the matter is posted for orders by granting repeated adjournments.

5. As such it is prayed that the trial Court be directed to decide the said application Exhibit-49 moved by the petitioner for grant of police protection expeditiously.

6. From the record it appears that the order of injunction is confirmed up to the Apex Court. On perusal of roznama produced by the counsel for the petitioner it appears that the application moved by petitioner for grant of police protection is pending consideration since

November 2023 i.e. for last about eight months.

7. In this backdrop, we deem it appropriate to direct the trial Court to decide the application of the petitioner for police protection (Exhibit-49) expeditiously and submit compliance to this Court.

8. Writ Petition is disposed of accordingly. No costs.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)