



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

WRIT PETITION NO. 4438/2024
Rahul Devidas Khanderao and another
Vs.
Govindrao Janardhan Deshmukh

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Raju Kadu, Advocate for petitioners

CORAM: N.R. BORKAR, J.

DATED : 3rd AUGUST, 2024

1. This petition takes exception to the order dated 10.05.2024 passed by Civil Judge (Junior Division), Khamgaon below Exh.24 in R.C.S. No. 12/2023. The petitioners are the original plaintiffs. They have filed a suit for declaration and injunction against the respondent / defendant.

2. By order dated 11.03.2024, the trial Court has rejected the application filed by the present petitioners for temporary injunction and allowed the application filed by the respondent for temporary injunction.

3. By the order impugned, the trial Court has allowed the application filed by the respondent for police aid in view of the order dated 11.03.2024.

4. Admittedly, the appeal filed by the petitioners against the order dated 11.03.2024 is still pending.

5. Considering the facts and circumstances, instead of entertaining the present petition against the consequential order, it would be appropriate to direct the appellate Court to decide the application filed by the petitioners for interim relief.

6. The appellate Court shall decide the application for interim relief within a period of three weeks from the date of receipt of the copy of this order.

7. The petition is disposed of in above terms. No costs.

(N.R. BORKAR, J.)