



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

CIVIL APPLICATION (CAS) NO. 323 OF 2024

IN

SECOND APPEAL NO. 105 OF 2024

SANTOSH CHANDRABHAN DABERAO AND ANOTHER

Vrs.

MADHUKAR DEORAO HONALE AND ANOTHER

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

Court's or Judge's Order

Shri R. D. Karode, Advocate for applicants/appellants.

CORAM: SANJAY A. DESHMUKH, J.

DATE : 22/08/2024.

1. Learned advocate for the applicants submits that on instructions, he is not pressing this application. Hence, application is disposed of as not pressed.

CIVIL APPLICATION (CAS) NO.720 OF 2024

2. This is an application for grant of temporary injunction under Order 39 Rule 1 and 2 of the Code of Civil Procedure, 1908.

3. Perused the application, the impugned judgment as well as judgment of the Trial Court.

4. Considering the peculiar set of facts, the applicants have made out a prima facie case in their favour. If the injunction is not granted, there will be irreparable loss to the applicants and balance of convenience is also in favour of the applicants. Therefore, temporary injunction deserves to be granted.

5. Issue notice to the respondents.

6. There shall be temporary injunction in terms of prayer clauses (i).
 7. The applicants to comply Order 39 Rule 3 of the Code of Civil Procedure.
 8. Stand over after three weeks.
- Second Appeal No.105/2024**
9. Issue notice to the respondents,
 10. Stand over after three weeks.

[SANJAY A. DESHMUKH, J.]

Choulwar