



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 519 OF 2024

Sanjay Pandurang Lembhe And Others
VERSUS
Bhakti Nandkumar Jagdale And Others

Mr. Y. B. Bolkar, Advocate for Petitioners
Mr. R. C. Bramhankar, Advocate for Respondent Nos. 1 and 2

CORAM : R. M. JOSHI, J.
DATE : 03rd March, 2025

PER COURT :-

1. Learned counsel for both sides are heard substantially.
2. After both sides were heard, learned counsel for respondents/original plaintiffs, on instructions, records consent for setting aside impugned order dated 11.10.2023 passed in Misc. Civil Appeal No. 61/2023. He, however, seeks direction for relegating the appeal back to the District Court for decision afresh.
3. In view of the above statement made on behalf of respondents/plaintiffs, impugned order is set aside. Misc. Civil Appeal No. 61/2023 is relegated back to the District Court for decision afresh. Having regard to the fact that the suit is filed in the year 2019 and relief is for injunction is sought by the plaintiff, District Court to decide Civil Appeal within a period of one month. The contentions of the respective

parties are kept open. District Court not to get influenced by observations in the impugned order and to pass order afresh on considering the merits of the case.

(R. M. JOSHI, J.)

bsj