

Jvs.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5902 OF 2017

JAYANT
VISHWANATH
SALUNKE

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JAYANT VISHWANATH
SALUNKE
Date: 2025.07.23
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Mahadev Aakaram Mali & Anr.

}

Petitioners**versus****Vilas Sakham Shinde & Ors.**

}

Respondents

Mr. Umesh Pawar for petitioners.

CORAM: ALOK ARADHE, CJ.

DATE: JULY 23, 2025

ORAL ORDER:

1. In this petition under Article 227 of the Constitution of India, the petitioners seek to quash and set aside the order dated 25th April 2017, by which the appeal preferred under Order XLIII Rule 1(r) of the Code of Civil Procedure, 1908 (CPC) has been allowed and the order of injunction dated 27th June 2016 passed by the Trial Court has been set aside.

2. A bench of this court, while entertaining the writ petition, has passed an interim order on 1st March 2019, by which the implementation of the order dated 25th April 2017 has been stayed. The aforesaid order has remained in force for eight years. The suit was instituted in the year 2016, which has been pending for about nine years.

3. In the facts and circumstances of the case, I deem it appropriate to direct the Trial Court to decide the suit expeditiously, preferably within a period of six months from

today. Till then, the interim order dated 1st March 2019 shall continue to operate.

4. With the aforesaid direction, the writ petition is disposed of.

5. Let a copy of this order be forwarded to the Trial Court forthwith.

(CHIEF JUSTICE)