



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

CIVIL REVISION APPLICATION NO.100 OF 2025

[Fuelo Coal India Limited and others .vs. Ajay s/o Marotrao Upadhya and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M. Anil Kumar, Advocate with Shri Yash Kullarwar, Advocate or Applicants.
Shri Varun Kataria, Advocate for Respondents.

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CORAM : PRAVIN S. PATIL, J.

DATED : 09.10.2025.

1. By this application, the applicants questioned the order dated 23.4.2025 passed below Exh.12 in Regular Civil Suit No.79/2025 by the learned 2nd Joint Civil Judge, Junior Division, Chandrapur.

2. In a suit filed by the respondents for prohibitory mandatory injunction, the present applicant moved the application under Order 7 Rule 11 of the Code of Civil Procedure for rejection of the plaint

3. Learned Trial Court by recording cogent reasons rejected the application for rejection of suit. Against the said order dated 23.4.2025, present application is filed.

4. After hearing some time this matter, this court is of opinion that the findings recorded by the learned trial court prima facie seems to be correct and there is no perversity in the findings recorded in the matter.

5. The learned counsel for the applicants therefore states that his grievance can be redressed if directions are given to the

learned Civil Judge, Junior Division, Chandrapur to decide the pending suit in a time bound period.

6. The learned counsel for the respondents/original plaintiffs states that he has no objection if such directions are issued to the trial court to decide the suit as early as possible. He further informs that there is a construction going on the suit property and he has already moved the application for temporary injunction and same is pending for final decision.

7. Hence, in the light of these factual position, I am of the view that considering the controversy involved in the matter, the learned trial court can be directed to decide the pending suit as expeditiously as possible and in any case within a period of six months from the date of production of this order before him.

8. In view of above, the present application is disposed of.

9. The learned 2nd Joint Civil Judge, Junior Division, Chandrapur is hereby requested to decide the pending R.C.S. No.79/2025 as expeditiously as possible and in any case within a period of six months.

10. The parties are directed to cooperate in deciding the pending suit at an earliest without taking unnecessary adjournment in the matter.

11. In above terms, the present application is disposed of.

12. All the contentions raised in the present application are kept open. No order as to costs.

(PRAVIN S. PATIL, J.)