



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

WRIT PETITION NO. 13711 OF 2024

Rajendra Alias Rajendraprasad Vitthalprasad Shukla And
Another

VERSUS

Narhari Kerba Shinde And Another

...

Mr. N. D. Kendre, Advocate for the Petitioners

Mr. S. B. Choudhari, Advocate for Respondent nos.1 and 2

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CORAM : AJIT B. KADETHANKAR, J.

DATED : 05TH MARCH, 2026

ORDER :-

. The respondents lodged Regular Civil Suit No.1217 of 2016 in the Court of learned Civil Judge Junior Division, Kallam against the present petitioners. An application under Order 39 Rule 1 and 2 read with Section 151 of the Civil Procedure Code also came to be filed by the original plaintiffs/respondents against the present petitioners seeking temporary injunction. The application came to be allowed vide order dated 02.01.2017.

2. The Miscellaneous Civil Appeal No.17 of 2023 preferred by the present petitioners in the Court of learned District Judge-1, Kallam, Dist. Osmanabad also came to be turned

down vide order dated 21.10.2024. As against both the orders, petitioners are before this Court.

3. Mr. N. D. Kendre, learned Counsel for the petitioners would submit that instead of prosecuting the Writ Petition further on merits the petition be disposed of giving time bound limit to the learned Trial Court to dispose of the Civil Suit.

4. Respondents are enjoying the temporary injunction against the petitioners since 2017.

5. Mr. S. B. Choudhari, learned Counsel for the respondents has no objections if directions are passed to the learned Trial Court to conclude the trial within a time bound manner.

6. Request made by Mr. N. D. Kendre, learned Counsel for the petitioners is a moderate one. Considering the fact that the suit is of 2016 and it has reached to the stage of evidence, the learned Civil Judge Junior Division, Kallam is directed to conclude the trial of the suit within a period of 10 months from today. The parties undertake before this Court to assist the Court for early disposal of the suit and not to seek unnecessary adjournments.

7. As such, temporary injunction granted by the learned Trial Court in the year 2017 shall continue till the disposal of the suit. However the learned Trial Court shall not be influenced by any findings rendered while passing the temporary injunction order nor by the order passed by the learned Appellate Court in dismissing the appeal of the petitioners.

8. All contentions permissible in law are kept open.

9. Writ Petition stands disposed of in above terms.

10. Pending Civil Applications if any, stand disposed of.

(AJIT B. KADETHANKAR, J.)