

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

WRIT PETITION NO.8036 OF 2019

**SAMPAT THAMAJI PAVSE AND OTHERS
VERSUS
PANDURANG SHRIRANG ZAMBRE AND OTHERS**

...
Advocate for the Petitioners : Shri S. L. Bhapkar

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 02nd JULY, 2019.

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PER COURT :

1. The petitioners are aggrieved by the order dated 07/06/2019, by which, they are directed to deposit an amount of Rs. 50,000/- towards security of cotton crop which has been harvested by them without the prior permission of the Court.
2. I have considered the submissions of the learned Advocate for the petitioner plaintiffs.
3. I find from the record that the Trial Court has passed an order on 13/12/2011 below Exhibit 27 in Special Civil Suit No. 141/2011 continuing the exparte temporary injunction in favour of the petitioner plaintiffs on the condition that they

would furnish solvent surety for an amount of Rs. 50,000/-. The record reveals that such a solvent surety has been tendered.

4. The impugned order is a result of an application filed by the defendants contending that the plaintiffs have harvested the standing cotton crop and have also sold the said cotton in the market. The cotton crop was spread out over an area of 68 R. The Trial Court, therefore, directed the petitioners to deposit an amount of Rs. 50,000/- with a further direction that the amount would be disbursed only after the final adjudication of this suit.

5. Having considered the submissions and having gone through the petition paper book, I do not find that the impugned order could be termed as being perverse or erroneous. The said order is an equitable order. As such, this petition is dismissed.

(RAVINDRA V. GHUGE, J.)

shp/-