

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

WRIT PETITION NO.2318 OF 2021 .

Sanjay R. Yadurkar

..Petitioner

v/s.

Bharma D. Yadurkar & Ors.

..Respondents

Mr. V.B.Ghorpade for the Petitioner/s.

Mr. Abhijeet Desai a/w. Kanchan Phatak for the Respondent.

CORAM : ANUJA PRABHUDESSAI, J.

DATED : JUNE 30, 2021.

P.C.

1. The Petitioner herein has challenged the order dated 13.01.2021 whereby the learned District Judge, Gadhinglaj, has directed the Petitioner to maintain status quo pending hearing and final disposal of the application at Exhibit 5 in Misc. Civil Appeal No. 2 of 2021.

2. Learned Counsel for the Petitioner submits that he was compelled to carryout repairs as his house had collapsed due to gale. The Petitioner was well aware that the suit for injunction was pending. The Petitioner has sought to change the nature of the suit structure during the pendency of the suit without seeking

any permission of the court. Under the circumstances, I do not find any apparent error in the directions given by the learned District Judge to maintain status quo. The Petition has no merits and is accordingly dismissed.

3. Considering the statement of the Petitioner that his house is in totally dilapidated condition, the parties are directed to complete the pleadings within a period of two weeks, and the learned District Judge is requested to dispose of the Application at Exh.5 as expeditiously as possible and in any event within a period of two months from the date of this order.

(ANUJA PRABHUDESSAI, J.)