

VRJ

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

WRIT PETITION NO.8345 OF 2018

Ramchandra Vasudeo Pawar

... Petitioner

V/s.

Hindurao Narsingh Pawar

... Respondent

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Mr. Manmath Sadashiv Athalye for the petitioner.

Mr. Dhananjayrao D. Rananaware for the respondent.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 25, 2023

P.C.:

1. Challenge in this petition is to the order dated 14th February 2018 passed by the District Judge-4, Satara in Miscellaneous Civil Appeal No.4 of 2018 granting application for temporary injunction restraining defendant from making encroachment and creating new rights in the suit property.

2. Learned advocate for the respondent states that final arguments in the suit are concluded. The matter is now fixed for judgment.

3. In that view of the matter, there is no need to interfere with the discretionary order passed by the Appellate Court. However, the observations made in the impugned order shall not influence the Trial Court from considering the suit on its own merit.

4. With this clarification, writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)