



(1)

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

925 WRIT PETITION NO. 1994 OF 2024

**RUSTUM NARAYAN HARNE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS**

....

Mr K. F. Shingare, Advocate for Petitioners;
Mr S. K. Tambe, A.G.P. for Respondent Nos.1 to 3

**CORAM : RAVINDRA V. GHUGE
AND
R. M. JOSHI, JJ.**

DATE : 28th February, 2024

PER COURT:

1. A judgment in Regular Civil Suit No.718/2019, dated 10/10/2019, is the foundation for passing of the impugned order granting police protection, by Respondent No.2/Administrative Officer, office of the Police Commissioner, Chhatrapati Sambhajinagar. The original plaintiff has deposited Rs.26,529/- for the said purpose.

2. The learned Advocate for the Petitioners submits that, the Petitioners/Original Defendants have preferred Misc. Appeal before the Appellate Court on 03/01/2024 and have prayed for staying of the order passed by the Trial Court.

(2)

3. In view of the above, since there is a judgment, on the basis of which the impugned order is passed, and as these Petitioners have assailed the said judgment, they are at liberty to approach the Appellate Court for seeking orders. **This Writ Petition** need not be entertained and the same **is, therefore, dismissed.**

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

sjk