



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

**909 WRIT PETITION NO. 191 OF 2024**

**DR.MOHAMMAD ABDUL GAFFAR S/O. MOHAMMAD  
ABDUL QUADIR SIDDIQUI AND ANOTHER**

**VERSUS**

**HIFAZAT MIRKHAN TAYYABALI MIRKHAN AND  
OTHERS**

...

Advocate for petitioners : Adv.S.A.Ambad  
AGP for Respondent-State : Adv.P.R.Bharaswadkar

...

**CORAM : ARUN R. PEDNEKER, J.**

**DATE : 06.02.2024**

**P.C. :**

1] The petitioners – landlord have challenged the impugned order dated 27.09.2023 to the extent of clause (2) of the operative part of the order whereby possession of the plaintiffs – tenant is protected.

2] There are the findings of the Courts below that the plaintiffs are in possession of the suit property. As such, the plaintiff cannot be dispossessed without due process of law. The plaintiffs have also claimed tenancy over the suit property. The Courts below have rightly protected the plaintiffs. Therefore, I see no error in the impugned order passed by the courts below. Hence, the present Writ Petition is dismissed.

3] Considering the totality of the circumstances, the trial Court is directed to decide Regular Civil Suit No.232 of 2020 as expeditiously as possible, preferably within three years from the date of production of the order of this Court.

**[ARUN R. PEDNEKER]**  
**JUDGE**

DDC