



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

WRIT PETITION NO.8169/2024

VAISHALI RAGHUNATH PATIL ..PETITIONER
VS.
STATE OF MAHARASHTRA THR.
DIST. COLLECTOR & ORS. ..RESPONDENTS

Adv. Bhooshan Mandlik for the petitioner.
Smt. Pooja Joshi-Deshpande AGP for respondent nos.1 & 2 -
State.

CORAM : RAJESH S. PATIL, J.

**DATE : JUNE 6, 2024.
(VACATION COURT)**

P.C. :

1. Mr. Mandlik, learned counsel appearing for the petitioner, submits that by a notice which is at page 96 it has been informed that on 7 June 2024, at 11.00 a.m., the possession of the suit premises would be taken up. Mr.Mandlik submits that an appeal has been filed before the District Court. There is a delay of three days in filing an appeal. Hence, application for condonation of delay has been filed. In the said application for condonation of delay notice has been issued, and the matter is kept by the District Court on 10 July 2024. He submits that suddenly in

the summer vacation the impugned notice has been issued. Hence, his client has no option but to move this Court for interim protection. He submits that his client has 1/20th share in the property. He submits that his client is not concerned with the loan which allegedly has been taken by his client's father and brother-in-law. He submits that his client has already filed a suit for partition in which an application was moved, which was rejected and against the said rejection, an appeal has been filed before the District Court where there has been delay of three days in filing the appeal. He submits that his client should be protected at least till 10 July 2024.

2. Issue notice to the respondents, returnable after three weeks from today. Hamdast permitted. Apart from the Court notice, advocate for the petitioner is permitted to serve the respondents by advocate's private notice by all permissible modes of service and file affidavit of service to that effect before the next date of the hearing. Smt. Joshi-Deshpande waives service on behalf of the respondent nos.1 and 2.

3. In the meantime, till the next date of hearing, there will be ad-interim relief in terms of prayer clause (D). The

prayer clause (D) of the application reads as under:-

“(D) Pending hearing and final disposal of the present Civil Writ Petition, the parties be ordered to maintain Status-Quo in respect of the suit premises.”

4. Stand over to 27/6/2024.

(RAJESH S. PATIL, J.)