

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.17566 OF 2024

SATISH
RAMCHANDRA
SANGAR

Kamlakar Nivrutti Gholap and Ors.

...Petitioners

V/s.

Mohan Naganath Gholap

...Respondent

Digitally signed by
SATISH RAMCHANDRA
SANGAR
Date: 2025.01.03
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Mr.B.R.Mangale:-	Advocate for Petitioners.
Mr.Shardul Diwan:-	Advocate for Respondent.

CORAM : S. M. MODAK, J.

DATE : 9th DECEMBER 2024

P.C. :-

1. Heard learned Advocate for the Petitioners—original three Defendants and learned Advocate for the Respondent—Plaintiff.
2. During pendency of the suit, the Plaintiff's Application for injuncting the Defendants from disturbing his possession was rejected. The Appellate Court as per the order dated 22nd August 2024 (Page No.92) has reversed the said order and restrained the Defendants from disturbing his possession. This is challenged by the original Defendants.

3. There is an insistence for hearing of this Petition on behalf of the Petitioners because there is an injunction order against them and her contention is, on the basis of the said order, the Respondent-Plaintiff wants to disturb their possession.

4. Unless and until, all the documents filed by both the parties before the trial Court are annexed to this Petition, it cannot be heard. When inquired, learned Advocate for the Respondent-Plaintiff submitted that all these documents are annexed. Whereas, the Petitioners themselves have not annexed all the documents filed by them before the trial Court. Whether, they were filed along with the Written Statement or at the time of hearing of Exhibit-5 is immaterial. Because, if they were before the trial Court, the need to be annexed by the Petitioners to the Petition.

5. Let, the Petitioners to verify and file all the documents which are part of the record of the trial Court. The impugned order is dated 22nd August 2024. The Petition is filed in the month of November-2024.

6. Stand over to **5th February 2025.**

[S. M. MODAK, J.]