



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

WRIT PETITION NO. 2107 OF 2025

Walmik Balchand Rathod And Others .. Petitioners

Versus

Devidas Shankar Rathod .. Respondent

Mr. Yogesh D. Kale, Advocate for the Petitioners.

CORAM : KISHORE C. SANT, J.

DATED : 17th FEBRUARY, 2025.

P. C. :-

. This petition is against an order passed by the learned CJJD, Kannad dated 03.01.2025. By way of impugned order the learned Judge has allowed the application of the respondent and granted police protection for a day to implement the order passed on an application below Exh. 5 at the expenses of the respondent. A grievance is made that, by taking undue advantage of this order, now the respondent has started construction on bigger area than the area which is prayed in the suit property. This Court asked as to whether the order passed below Exh. 5 is challenged by the petitioners. The answer is no. The order presently under challenge is only consequential order pursuant to order passed on an application below Exh. 5. When the order below Exh. 5 is not challenged, this Court hardly find any justification in interfering

this petition. The petitioners are at liberty to challenge the order passed by the learned Trial Judge on an application below Exh. 5.

2. For the reasons stated above, this Court is not inclined to entertain the petition. The writ petition stands dismissed. No order as to costs.

(KISHORE C. SANT, J.)

PS.B.