



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

7 WRIT PETITION NO. 3314 OF 2022

KESHAV AMBADAS DHOPARE
VERSUS
BALAJI LIMBAJI KADAM AND OTHERS

...

Mr. Chandrakant D. Biradar – Advocate for Petitioner

Mr. H.V. Patil – Advocate for Respondent No.1

Mr. T.M. Venjane – Advocate for Respondent Nos.2 and 3

...

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 08.12.2025

PER COURT :

1. Heard learned Counsel for the respective parties.
2. The petitioner challenges the judgment and order dated 10.02.2022 passed below Exhibit 15 by the learned District Judge-1, Nilanga, in Misc. Civil Appeal No.16 of 2021, which confirmed the order dated 06.12.2021 passed below Exhibit-5 by the learned Joint Civil Judge, Junior Division, Nilanga, in Regular Civil Suit No.844 of 2021.
3. Learned Counsel for respondent No.1 submits that during the pendency of the present writ petition, police protection was granted and respondent No.1 has already completed the construction. In fact, he points out that this Court vide order dated 08.12.2022 has clarified the position whereby respondent No.1 was permitted to carry out the

construction withing the boundaries of their own plot and that the interim relief shall not come in the way of such construction. He further submits that the construction has been carried out within the boundaries of respondent No.1's own plot. Therefore, nothing survives in the present petition.

4. In view thereof, the Writ Petition is disposed of.

5. Learned Counsel appearing for both the sides submit that the suit is of the year 2021. The learned Trial Court shall decide the suit on its own merits, as expeditiously as possible, and in any case within a period of one (1) year from today.

[SIDDHESHWAR S. THOMBRE]
JUDGE

Pooja Kale/