

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12311 OF 2023

Kishor Ramrao Deshmukh

VERSUS

Alka Sanjaykumar Bhandari Through Gpa Sanjaykumar Chandanmal
Bhandari

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Advocate for the Petitioner : Mr. Deshmukh Himmatsinh D

Advocate for Respondent : Mr. Pathan Z.M.

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CORAM : SIDDHESHWAR S. THOMBRE, J.

Dated : DECEMBER 22, 2025

PER COURT:-

1. Heard learned counsel for respective parties.
2. By way of present petition, the petitioner assails the order dated 19.06.2023 passed below Exhibit-35 by the learned Civil Judge Senior Division, Newasa in R.C.S. No.543/2022, whereby the application filed by the petitioner under Order 9 Rule 9 of Civil Procedure Code came to be rejected.
3. After going through the record, it reveals that the respondent herein filed R.C.S. No.450 of 2016 for perpetual injunction but the same came to be dismissed in default on 15.03.2021.
4. Thereafter, the respondent herein filed R.C.S. No.543 of 2022 for perpetual injunction by stating that the cause of action arose on 10.04.2022, as fresh cause of action arose, the learned Trial Court

rejected the application filed under Order 9 Rule 9. I do not find any perversity in the order.

5. In view of the above, the petition is disposed of.

(SIDDHESHWAR S. THOMBRE, J.)