



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

137 WRIT PETITION NO. 4897 OF 2023

VALJANATH ARJUNA SHINDE
VERSUS
JAYJAYRAM KASHIRAM SHINDE AND OTHERS

...
Advocate for the Petitioner : Mr. Kawade Shrikant G.
AGP for Respondent Nos. 4 to 6/State : Mr. V.S.Badakh
Advocate for Respondent Nos. 1 to 3 : Mr. Chondhekar Balaji S.
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CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 15.12.2025

PER COURT :

1. Heard the learned Counsel for the respective parties.
2. By way of present petition, the petitioner assails the order dated 20.04.2022 passed below Exhibit 5 by the Joint Civil Judge, Senior Division, Hingoli, District Hingoli, in Regular Civil Suit No. 69 of 2022 whereby application filed by Original Plaintiff for grant of temporary injunction came to be allowed which was also confirmed by the order dated 18.10.2022 passed below Exh. 52 by the District Judge-2, Hingoli in Misc. Civil Appeal No. 12 of 2022.
3. The learned Counsel for the petitioner submits that the application filed by the Original Plaintiff was allowed and the same was also confirmed by the appellate Court.
4. Record reveals that by way of grant of temporary injunction the defendants were temporarily restrained from making way from axle

of land Block No. 465 and 482 till the final decision of the suit.

5. The learned Counsel for the respondents submits that no road was in existence for Original Plaintiff to go through it to his land. The learned trial Court has erroneously allowed the application filed by the Original Plaintiff as the road did not even exist.

6. I have gone through the order passed by the the learned trial Court and the appellate Court. As both the Courts have recorded concurrent findings and granted temporary injunction in favour of original plaintiff, I am not inclined to entertain the present petition. I find that there is no reason to interfere with the order dated 20.04.2022 passed below Exhibit 5 by the Joint Civil Judge, Senior Division, Hingoli, District Hingoli, in Regular Civil Suit No. 69 of 2022 and the order dated 18.10.2022 passed below Exh. 52 by the District Judge-2, Hingoli in Misc. Civil Appeal No. 12 of 2022, under Article 227 of the Constitution of India.

7. In view thereof, the Writ Petition is dismissed. No order as to cost.

(SIDDHESHWAR S. THOMBRE, J.)