

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2307 OF 2025

Ravikiran Ravindranath Bhurale and ors. ...Petitioners

Versus

Govind Ramchandra Ghagare ...Respondent

Mr. Samir Kumbhkoni, a/w Anjali Shaw and Ghaitanya
Joshi, for the Petitioners.

SANTOSH
SUBHASH
KULKARNI

Digitally signed by
SANTOSH
SUBHASH
KULKARNI
Date: 2025.02.21
13:36:44 +0530

CORAM: N. J. JAMADAR, J.
DATED: 20th FEBRUARY, 2025

PC:-

1. Heard the learned Counsel for the petitioners.
2. The challenge in this petition is to the judgment and order passed by the learned District Judge, Solapur, on 26th July, 2024, whereby the appeal preferred by the petitioners against an order passed by the Civil Court granting temporary injunction came to be dismissed by affirming the said order.
3. The Trial Court and the learned District Judge have proceeded on the premise that there is material to show that in the revenue proceeding, admitting the possession of the plaintiff and the predecessor-in-title of the plaintiff, the defendant had sought relief of recovery of possession.

4. Mr. Kumbhkoni, the learned Counsel for the petitioners, submitted that in a previous suit instituted by the predecessor-in-title of the plaintiff a finding has been recorded that the claim of the predecessor-in-title of the plaintiff of having been put in possession of the suit property under an agreement, was not tenable. Mr. Kumbhkoni submitted that the said finding would prevail over the findings recorded by the revenue authorities.

5. *Prima facie*, it appears that, in the subsequent proceedings before the revenue authorities, the defendant sought relief of recovery of possession. In this view of the matter, since the Courts below have taken a plausible view on the basis of the material on record, this Court does not find any justifiable reason to interfere with the discretionary orders in exercise of supervisory jurisdiction.

6. Petition stands dismissed.

7. All contentions are kept open for adjudication at the stage of final disposal of the suit.

[N. J. JAMADAR, J.]