

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4298 OF 2025

Ratnakant Balkrushna Sawant & Anr ..Petitioners

Versus

Vijay Yashwant More & Ors ...Respondents

Mr. Raju Suryavanshi, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATED : 2nd APRIL 2025

P.C.:

- 1.** Heard the learned Counsel for the petitioners.
- 2.** The challenge in this Petition is to an order dated 13th March 2025 passed by the learned Principal District Judge, Ratnagiri, in MCA No. 3 of 2025, whereby while allowing the Appeal the learned Principal District Judge has directed the Trial Court to decide the Application for injunction (Exhibit “55”) on merits within one month from the date of the said order and, in the meanwhile, defendant nos. 1 and 2 have been directed to maintain status-quo as to the construction of the house, till the decision on the Application (Exhibit “55”).
- 3.** Since the learned Principal District Judge has remitted the matter back to the Trial Court for decision afresh, after providing an opportunity of hearing to the parties and within a time-frame of one

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month only, and, in the meanwhile, directed the defendant nos. 1 and 2 to maintain status-quo, this Court does not find any propriety in entertaining the Petition in exercise of supervisory jurisdiction.

4. Mr. Suryawanshi, the learned Counsel for the petitioner, expressed an apprehension that the observations made by the learned Principal District Judge, which touch upon the merits of the matter, may influence the adjudication of the Application (Exhibit “55”) by the Trial Court.

5. The Trial Court is not expected to be influenced of the observations made by the learned Principal District Judge in the impugned order, while deciding the Application (Exhibit “55”) afresh. Yet, by way of abundant caution, it is clarified that the Trial Court shall not be influenced by the observations made by the learned Principal District Judge in the impugned order.

6. Subject to the aforesaid clarification, Petition stands disposed.

[N. J. JAMADAR, J.]