

VRJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.11279 OF 2025

Nizam Babalal Mulani

... Petitioner

V/s.

Mahadeo Jotiram Jagtap & Ors.

... Respondents

VAIBHAV
RAMESH
JADHAV
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VAIBHAV RAMESH
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Date: 2025.10.15
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Mr. Gautam Kanchanpurkar (through V.C.) with
Vaishnavi Shelake for the petitioner.

Mr. Siddharth Shitole for respondent Nos.1 and 2.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : OCTOBER 14, 2025

P.C.:

1. The present writ petition takes exception to the order dated 11th August 2025, passed by the learned District Judge, Vita, below Exhibit-5 in Regular Civil Appeal No.31 of 2025, by which learned District Judge stayed operation and implementation of judgment and decree passed by learned Civil Judge, Junior Division, Vita, in Regular Civil Suit No.475 of 2020.

2. It is apparent that the substantive decree passed by Trial Court is subject matter of an appeal before learned District Judge. On perusal of the reasons recorded in impugned order, this Court

do not find any reason to interfere on merits. However, it would be in the interest of parties if the pending appeal itself is expedited.

3. In result, writ petition stands disposed of with a request to learned District Judge to take up appeal for final disposal and decide it expeditiously, and in any case, within a period of six months from today.

4. It is made clear that petitioner, who claims to be in possession of the suit property, may file an application for grant of an injunction, which may be considered on its own merits in case hearing of the appeal is prolonged for any reason.

(S. G. CHAPALGAONKAR, J.)