

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11641 OF 2025

Haridas Jaysingrao Patil Through

Vishwajit Haridas Patil

.....Petitioner

Vs.

Vishal Sanjay Girigosavi

.....Respondent

Mr. Bhooshan R. Mandlik, for the Petitioner.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 3rd November 2025

PC.:-

1. Heard learned advocate appearing for Petitioner.
2. The present Writ Petition impugns order dated 19th August 2025, passed by learned Civil Judge, Senior Division, Shirala, whereby police protection has been granted in favour of Respondent/Plaintiff in pursuance to order of injunction passed on 29th March 2023.
3. It is not in dispute that Respondent has filed Regular Civil Suit No.9 of 2022 seeking decree of perpetual injunction in respect of suit property. He had filed an Application Exhibit-5 seeking

temporary injunction. The Trial Court allowed said Application vide order dated 29th March 2023 and restrained Defendant from causing obstruction in peaceful possession of Plaintiff over suit property. The said order was subjected to Appeal by Petitioner before District Judge, Islampur. On 13th September 2024 Appeal has been dismissed on merits. As such, order granting temporary injunction has attained finality.

4. It appears that in spite of injunction order, Defendant continued to cause obstruction to plaintiffs peaceful enjoyment of property. Both parties have filed police complaints against each other, and accordingly, NCs have been recorded. Evidently, there is continuous threat of breach of injunction order. Taking into account aforesaid circumstances, Trial Court has rightly exercised jurisdiction invoking Section 151 of Code of Civil Procedure and granted police protection as prayed by Plaintiff.

5. Learned counsel appearing for Petitioner endeavored to suggest that Plaintiff, under garb of police protection, plaintiff is attempting to encroach upon property which is in possession of Petitioner. However, all such aspects were argued and considered by

Court while granting temporary injunction. Once order of temporary injunction is in place, court would be justified to pass necessary orders to preserve sanctity of injunction order and to provide police protection, if needed.

6. In that view of matter, this Court do not find error of jurisdiction on part of Trial Court.

7. Hence, Writ Petition stands **rejected and dismissed**.

(S. G. CHAPALGAONKAR, J.)