

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

WRIT PETITION NO. 11039 OF 2025

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Santosh Nigappa Burje

... Petitioner

Versus

State of Maharashtra & Ors.

... Respondents

.....
Mr. Ishaan Kapse a/w Tejas Patil for the Petitioner.
Ms. Tejas J. Kapre, AGP for the Respondent - State
.....

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : August 22, 2025.

P. C. :

1. Heard learned Counsel for the Petitioner.
2. We are not inclined to interfere in this petition at this stage as the Petitioner has preferred RCA No. 44 of 2024 along with an Application for temporary injunction. According to the learned Counsel for the Petitioner the same has been heard finally and kept 'For Orders' on several previous dates i.e. 11th August 2025, 12th August 2025, 18th August 2025 and now on 22nd August 2025.

3. We have no doubt that the Appellate Court will pass appropriate orders on the application for temporary injunction on the date fixed. Therefore, we grant limited protection to the Petitioner that till the decision on the application for temporary injunction is taken, which is listed on 22nd August 2025, no action for demolition be taken against the Petitioner's structure.

4. We request the Appellate Court to decide the application for temporary injunction and pass appropriate orders on the scheduled date i.e. 22nd August 2025 or preferably within 7 days from the scheduled date. In the event, the order is adverse, no action be taken against the petitioner's structure for a period of 2 weeks thereafter to enable him to avail appropriate remedies. All contentions of the parties are kept open.

5. The Writ Petition is disposed of in the aforesaid terms.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik]