IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7804 OF 2017

Satish Vasant Sasawade and Anr. ....Petitioners
V/S
Vasant Bhujaba Sasawade and Ors. ....Respondent

Ms. Rashmi Shirke i/b Mr. Abhijeet J. Kandarkar *for the Petitioners.*
Mr. Onkar Gawade i/b Mr. Jaydeep Deo *for Respondent Nos.7 and 8.*

CORAM : SANDEEP V. MARNE, J.
DATE : 24 DECEMBER 2025.

P.C.:

1. The Petition challenges order dated 1 March 2017 passed by the learned District Judge-18, Pune, partly allowing Miscellaneous Civil Appeal No.383 of 2016, vacating the order of injunction passed by the Trial Court restraining the Defendant Nos.7 and 8 obstructing the Plaintiff's possession of the suit property. The impugned order however retains the Trial Court's order of injunction directing non-creation of third party rights in the suit property. The order is operational since 1 March 2017. No interim order has been passed in the present Petition.

2. Ms. Shirke would submit that despite making repeated attempts, no contact is established with the Petitioners. Mr. Gawade, the learned counsel appearing for Respondent No.7 submits that the suit is now at the stage of evidence. In that view of the matter, it would be appropriate that the suit itself is decided rather than examining correctness of order dated 1 March 2017 at this stage.

3. Writ Petition is accordingly disposed.

4. Needless to observe that the Suit shall be decided uninfluenced by any of the observations made by the Lower Appellate Court.

(SANDEEP V. MARNE, J.)

SUDARSHAN RAJALINGAM KATKAM

Digitally signed by SUDARSHAN RAJALINGAM KATKAM
Date: 2025.12.24 21:25:59 +0530