



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.434 OF 2024**

Hasan Ahamad Mujawar (deceased)
through legal heirs – Kureshabi
Hasan Mujawar and Ors. ... Petitioners
versus
Banubai Husen Mujawar and Ors. ... Respondents
WITH
WRIT PETITION NO.435 OF 2024

Hasan Ahamad Mujawar (deceased)
through legal heirs – Kureshabi
Hasan Mujawar and Ors. ... Petitioners
versus
Banubai Husen Mujawar and Ors. ... Respondents

Mr. Chetan Patil with Mr. B.R.Mandlik, Ms. Rati Sinhasane, for Petitioners.
Mr. Dilip Bodake for Respondents.
Mr. Asif Husen Mujavar, Respondent No.4 present.

CORAM: N.J.JAMADAR, J.

DATE : 15 JANUARY 2025

P.C.

1. Heard the learned Counsel for the parties.
2. These Petitions assail the judgment and order dated 9 August 2023 passed by the learned District Judge, Sangli, in Misc. Civil Appeal No.156 of 2022 preferred against the order dated 12 May 2022 passed by the learned Civil Judge in Regular Civil Suit No.273 of 2016, restraining the Petitioners from causing obstruction to the possession and enjoyment of the Respondents over the suit property, whereby the appeal preferred by the

Petitioners came to be dismissed.

3. On 16 January 2024, while issuing notice to the Respondents, this Court had restrained the Respondents/Plaintiffs from alienating or creating third party rights in any of the suit properties, until the Petitions are heard for admission.

4. Learned Counsel for the Respondents-Plaintiffs, on instructions of Respondent No.4, who is present in Court, makes a statement that the Respondents will not sell, alienate or otherwise create third party interest in the suit property described in paragraph No.1b of the plaint i.e. agricultural land bearing Survey No.28/3 admeasuring 1H 21R situated at Kupwad, Taluka Miraj, District Sangli.

5. Having heard the learned Counsel for the parties, and considered the nature of the dispute, the aforesaid statement made on behalf of the Respondents/Plaintiffs adequately protects the interest of the parties.

6. The aforesaid statement made by Mr. Bodake, on behalf of Respondents-Plaintiffs, on instructions of Respondent No.4, who is present in Court, is accepted as an undertaking to the Court.

7. The Writ Petition stands disposed.

(N.J.JAMADAR, J.)