

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5124 OF 2025

Maruti Kondiba Ghogare and Anr. ... Petitioners

V/s.

Shrirang Dnyanoba Vhote and Ors. ... Respondents

Mr. Dhyaneshwar Deshmukh with Sanjay Ranjane, for the
Petitioners.

CORAM : N.J. JAMADAR, J.

DATE : 23RD APRIL 2025.

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1. Heard learned counsel for the petitioners.
2. The challenge in this petition is to an order passed by the learned Civil Judge, Pandharpur on 14th August 2024, thereby staying the execution and operation of the order passed by the Tahsildar in S.R. No. 16 of 2019, till the final decision of the suit.
3. The said order appears to have been passed under provisions of Order XXXIX of the Code of Civil Procedure, 1908. Proper remedy of the petitioner is to assail the legality, propriety and correctness of the said order in an appeal before the District Court.
4. The petition stands disposed with liberty to the petitioner to assail the order impugned in this petition by way of appeal before the District Court.

5. The time spent by the petitioner in prosecuting this petition may be accounted for under Section 14 of the Limitation Act.
6. The petition stands disposed.

(N.J. JAMADAR, J)