

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11242 OF 2024

1. Vijaya Manohar Bande
2. Swati Vijay Kale

...Petitioners

Versus

1. Ravindra Arvind Bande
2. Director, Marketing,
State of Maharashtra, Pune
3. Joint Director of Agricultural Marketing,
State of Maharashtra, Pune
4. Agricultural Produce Market Committee, Pune
5. State of Maharashtra

...Respondents

Mr. Sidheshwar Biradar, *for Petitioners.*

Mr. Prathamesh Bhargude, *for Respondent No. 1.*

Mrs. V.R. Raje, AGP *for Respondent Nos. 2, 3 & 5 -State.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : November 21, 2025

ORDER :

1. Rule is made returnable forthwith. Respondents waive service. By consent, heard finally.
2. This Petition impugns an order dated June 15, 2023 passed by the Agricultural Produce Market Committee, Pune ("**APMC**") and also an order disposing of an appeal against the aforesaid order passed

by the Joint Director of Agricultural Marketing, Pune.

3. The core grievance of the Petitioners is that the Release Deed by Petitioner No. 2 and the Will by the father of Petitioner No.2 and the husband of Petitioner No. 1, Manohar Bande, are forged. Disputes and differences over the veracity of these instruments are subject matter of a civil suit being Regular Civil Suit No. 1915 of 2019 before the Civil Judge, Senior Division, Pune.

4. Earlier, the subject matter of the dispute under this Petition, namely, Gala No. 124 admeasuring 286 square feet at Chhatrapati Shivaji Market Yard, Pune had been transferred to the Petitioners by an order dated January 14, 2022. It is seen from the record that by a detailed judgment dated March 24, 2023, a Learned Single Judge of this Court remanded the matter back to the APMC directing it to hear the parties and pass appropriate orders. The Impugned orders are an outcome of such remanded proceedings.

5. Having heard the parties at some length, it is apparent that the disputes being raised by the Petitioners relate to detailed examination of evidence since the fundamental contention is that two

instruments based on which Respondent No. 1 claims interest in the said Gala, are forged. Whether or not such documents are forged is a subject matter of the aforesaid Suit. It would not be possible in the jurisdiction of Writ Court to examine such matters and pronounce upon the same. It is also seen from the record, the Respondent No. 1, Ravindra Arvind Bande has subjected himself to an *interim* protection in favour of the Petitioners by stating that no third-party interests could be created during the pendency of the Suit.

6. It is seen that the Release Deed and the Will purport to vest in Respondent No. 1, totally 52 properties, including the said Gala. Since, Respondent No. 1 subjected himself to the interlocutory reliefs as well as agreed to an expedited hearing, no further *interim* relief was considered in the said suit. No orders are necessary in this Petition, except to grant liberty to the Petitioners to take out appropriate interlocutory applications before the relevant Civil Court seeking an *interim* arrangement, since the original expectation of having the Suit disposed of within six months, has not come through.

7. In these circumstances, granting liberty to move the relevant Civil Court for *interim* relief, this Petition is ***finally disposed of***.

8. The Civil Court is requested to consider dealing with such application, if filed, as expeditiously as possible, within the time-frame, subject to the exigencies of its own roster.

9. Rule discharged.

10. All actions required to be taken pursuant to this order, shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]