

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13507 OF 2024

Sunita Sopan Naikude

..Petitioner

Versus

Tukaram Kondaji Tanpure & Ors

...Respondents

Mr. Sumit V Khaire, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATE : 11th NOVEMBER 2025

P.C.:

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this Petition is to the judgment and order dated 2nd August 2023 passed by the learned District Judge, Pune in MCA No. 275 of 2017, whereby the Appeal preferred by the Respondents came to be allowed by setting aside an order of injunction granted by the trial Court.
3. When this Court expressed its disinclination to entertain the Petition as the principle of unity of possession and community of interest comes into play, the learned Counsel for the Petitioner submitted that the trial in the suit may be expedited.
4. The prayer is justifiable.

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5. The Petition stands disposed with a request to the learned Civil Judge seized with RCS 576 of 2012, to hear and decide the suit as expeditiously as possible and preferably within a period of one year from the date of communication of this order.
6. It is clarified that the development, if any, over the suit property, shall be subject to the outcome of the suit and none of the parties shall be entitled to claim any equities on the ground that he has carried out the development and incurred expenses for the same.
7. All contentions of all the parties are kept open for adjudication at the trial.
8. Petition disposed.

[N. J. JAMADAR, J.]