

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14397 OF 2024

Pratibha Uttam Shelke & Ors ..Petitioners

Versus

Parashram Karbhari Shelke & Ors ...Respondents

Mr. Ajinkya V Taskar, for the Petitioners.

Mr. Narayan G Rokade, with Siddharth R Ghodke and Ramchandra Wagh, for the Respondents.

CORAM: N. J. JAMADAR, J.

DATE : 30th SEPTEMBER 2025

P.C.:

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 18th July 2024 passed by the learned District Judge-2, Niphad in MCA No. 5 of 2023, whereby the Appeal preferred by the Petitioners against an order dated 4th January 2023, passed by the learned Civil Judge, Senior Division, Niphad, rejecting the Application for temporary injunction in Special Civil Suit No. 363 of 2022, filed for partition and separate possession of the share of the Petitioners and the consequential reliefs, came to be dismissed.
3. The concurrent *prima facie* findings do not warrant interference in exercise of supervisory jurisdiction. The learned Counsel for the

Petitioners submits that, in the intervening period, certain instruments have been executed by the Respondents. Attention of the Court was invited to a Release Deed executed by the Respondent No.2 in favour of other Respondents. The learned Counsel for the Petitioners, therefore, seeks expeditious disposal of the suit.

4. Having regard to the nature of the dispute and situation in life of the Petitioners-Plaintiffs, the prayer for expeditious hearing of the Suit, appears justifiable.

5. The Court is informed that the Suit is now posted before the learned Civil Judge on 6th October 2025. The parties shall appear before the trial Court on 6th October 2025.

6. The Petition stands disposed with a request to the learned Civil Judge, Niphad, to hear and decide the Suit as expeditiously as possible and, preferably, within a period of one year from the date scheduled for the appearance of the parties.

[N. J. JAMADAR, J.]