

Arun Sankpal

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1679 OF 2025**

Hardisa Realty

..Petitioner

Versus

Anita Developers Through Its Partner & Ors

...Respondents

Mr. Shreepad Murthy, with Sahil Wagh, i/b Abhishek Patil, for the
Petitioner.

CORAM: N. J. JAMADAR, J.

DATED : 6th FEBRUARY 2025

P.C.:

1. Heard learned Counsel for the Petitioner.
2. The challenge in this Petition is to an Order dated 3rd October 2024 passed by the learned Civil Judge, Panvel, in Special Civil Suit No. 93 of 2024.
3. The learned Counsel for the Petitioner submits that on 3rd October 2024, in the first session, the matter was adjourned to 22nd November 2024. However, later on, in the closing hours of the Court, the Plaintiff filed an Application for grant of *status-quo* (Exhibit “65”) and without providing an effective opportunity of hearing, the learned Civil Judge directed the parties to maintain *status-quo*.

ARUN
RAMCHANDRA
SANKPAL

Digitally signed by
ARUN
RAMCHANDRA
SANKPAL
Date: 2025.02.10
09:13:12 +0530

4. Thereafter, the Petitioner filed Application (Exhibit “68”) to set aside the order of *status-quo*. However, the said Application has not been heard by the Civil Court.

5. From the perusal of the record, it appears that the Plaintiff has preferred an Application for temporary injunction on 15th December 2023 and the said Application awaits adjudication.

6. The Petitioner-Defendant No. 19, and Defendant No. 20 have filed Written Statement on 24th October 2024.

7. The learned Counsel for the Petitioner submits that the Written Statement of the Defendants be read as a Reply to the Application for temporary injunction. The Defendant Nos. 19 and 20 are at liberty to file a pursis before the trial court to that effect.

8. In these circumstances, it would be expedient in the interest of justice that the Application for temporary injunction (Exhibit “5”) itself is expeditiously heard.

9. Petition thus stands disposed with a request to the learned Civil Judge, Panvel to hear and decide the Application for temporary injunction alongwith the Application for vacating *status-quo* order as expeditiously as possible and preferably within a period of four months from the date of the next listing of the suit before the trial court.

[N. J. JAMADAR, J.]