

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2782 OF 2025

SanjayBaliram Pavashe and ors. ...Petitioners

Versus

Vilas Motiram Pavashe and ors. ...Respondents

Mr. Jyotiram Yadav, for the Petitioners.

Ms. Mrunmayi Khambete, for Respondent Nos.1 to 5.

Ms. Priyanka Yadav, for Respondent Nos.6 and 7.

CORAM: N. J. JAMADAR, J.

DATED: 3rd MARCH, 2025

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PC:-

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order dated 20th February, 2025 passed by the learned Civil Judge, whereby an application for *status quo* order came to be rejected.
3. The petitioners have instituted a suit for partition and separate possession of the suit property. In the said suit an application for temporary injunction has been filed. Replies to the said application for temporary injunction have also been filed. The learned Civil Judge was persuaded to reject the application for *status quo*. The learned Civil Judge was of the view that the petitioners would not be rendered remediless.

4. Without delving into the question of the propriety of refusal to grant *status quo*, at this stage, since application for temporary injunction is pending before the Trial Court, the proper course would be to decide the said application for temporary injunction.

5. The Court is informed that the said application is posted before the learned Civil Judge on 7th March, 2025. The learned Civil Judge is requested to make an endeavour to hear and decide the application for temporary injunction as expeditiously as possible.

6. In the event, the Authorities under the Maharashtra Co-operative Societies Act, 1960, pass any order on the application for deemed conveyance, the same shall be subject to the order that may be passed by the Trial Court on the application for temporary injunction.

7. The petition stands dismissed.

[N. J. JAMADAR, J.]