

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4830 OF 2025

Ganpat Eknath Jagdale

... Petitioner

V/s.

Laxmibai Ashok Rawade and ors.

... Respondents

Mr. Prabhakar M. Jadhav with Mr. Bhaskar Jagdale and Ms. Suchita Chavan, Advocates for the Petitioner.

None for the Respondents.

CORAM : N. J. JAMADAR, J.

DATE : 16th APRIL, 2025.

P.C.:-

1. Heard the learned counsel for the Petitioner.
2. The challenge in this petition is to an order dated 25th February, 2025 passed by the learned District Judge-12, Pune, whereby in the Misc. appeal preferred by the Respondents against an order passed by the learned Civil Judge Junior Division, Saswad dated 23rd December, 2021, the learned District Judge directed the Respondents therein to maintain status-quo till further orders.
3. By the said order the learned District judge has also directed that the hearing of the appeal be expedited.
4. The learned counsel for the Petitioner submits that the appeal is now listed for hearing on 25th June, 2025.

5. Having regard to the nature of the order passed by the learned District Judge, this Court does find any propriety in exercising the writ jurisdiction.

6. However, it appears that the order passed by the learned District Judge has the propensity to be misinterpreted. Since the Trial Court has granted the injunction by an order dated 23rd December, 2021 and the appeal preferred by the Appellants is of the year 2022, it may be expedient in the interest of justice that the appeal itself is decided expeditiously.

7. As the dispute pertains to a road, evidently, the orders passed by the Courts may impair the rights of a body of persons. Therefore, this Court considers it expedient to direct the learned District Judge to prepone the hearing of the Misc. Civil Appeal No.12 of 2022 and, thereafter, make an endeavour to hear and decide the said appeal as expeditiously as possible.

8. Let the Misc. Civil Appeal No.12 of 2022 be preponed and listed before the learned District Judge on 28th April, 2025.

9. The Petitioner shall give notice to the Respondents-Appellants in Misc. Civil Appeal No.12 of 2022 about preponing and listing of the appeal before the learned District Judge on 28th April, 2025.

10. The learned District Judge is requested to make an endeavour to hear and decide the said appeal as expeditiously as possible and, preferably, within a period of four months from 28th April, 2025.

11. Subject to aforesaid directions, the petition stands disposed.

(N. J. JAMADAR, J.)