



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12674 OF 2025**

Prakash Laxman @ Kondu Koditkar	...	Petitioner
versus		
Nehal Pradip Nimbalkar	...	Respondent

Mr. Sandeep Parikh with Mr. Prabhakar M. Jadhav, Ms. Suchita Chavan, for
Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 29 SEPTEMBER 2025

P.C.

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this Petition is to an order dated 9 July 2025, passed by the learned District Judge, Pune, in Civil Misc. Application No.1151 of 2024, thereby granting permission to Rohini Nimbalkar, mother and guardian of the Respondent to sell the share of the minor out of Gat No.73, Village Hirpodi, Tal Welha, Dist. Pune, subject to certain conditions.
3. The Petitioner has instituted a suit for specific performance of the contract to sell certain properties, including the properties in respect of which the impugned order has been passed. In the said suit, the Petitioner had filed an application for interim injunction. By an order dated 13 March 2024, the said application came to be rejected. The Petitioner preferred an appeal being Misc. Civil Appeal No.100 of 2024 before the learned District Judge, Pune.

4. Learned Counsel for the Petitioner made a grievance that the said appeal is not being heard expeditiously and the application for ad-interim injunction filed in the said appeal has also not been heard.
5. Since the Petitioner has filed an appeal against the order rejecting the application for interim injunction, it would be appropriate that the Petitioner works out his remedies before the District Court where the Misc. Civil Appeal No.100 of 2024 is subjudice. Since the impugned order may cause prejudice to the rights asserted by the Petitioner, it would be appropriate in the interest of justice that the Appellate Court hears and decides the Misc. Civil Appeal as expeditiously as possible.
6. The Court is informed that the Misc. Civil Appeal No.100 of 2024 is listed before the District Court on 7 October 2025.
7. Learned District Judge is requested to hear and decide the said appeal as expeditiously as possible, and, if it is not possible to hear the appeal finally, decide the application for ad-interim injunction filed in the said appeal expeditiously and preferably within a period of two months from the date scheduled for the appearance of the parties I.e. 7 October 2025.
8. The Writ Petition stands accordingly disposed.

(N.J.JAMADAR, J.)