

SAINATH

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 16009 OF 2025**

Shantabai Damodar Gawad ..Petitioner

Versus

Arun Harishchandra Jadhav & Ors ...Respondents

Ms. Jonita Dabreo i/b JRA Law LLP, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATE : 03rd DECEMBER 2025

P.C.:

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 13th August, 2025 whereby the learned Civil Judge has rejected an application preferred by the petitioner/plaintiff to expeditiously decide the suit and consider the prayer of the plaintiff for restoration of possession under Section 6 of the Specific Relief Act.
3. The Court finds that, the prayer for restoration of possession is one of the substantive prayers in the suit. The suit has proceeded *ex parte* against Defendant Nos. 1 & 2 and without written statement against Defendant No. 3. Thus, there

does not seem to be any impediment in proceeding with the suit expeditiously.

4. The petition thus stands disposed with a request to the learned Civil Judge to hear and decide the Special Civil Suit No. 238/2024 as expeditiously as possible.

[N. J. JAMADAR, J.]