

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 160 OF 2025
WITH
INTERIM APPLICATION NO. 3293 OF 2025
IN
APPEAL FROM ORDER NO. 160 OF 2025**

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Anita Vijay Gadekar and Ors. ... Appellants/Applicants
vs.
Vijay Kisan Mali and Anr. ... Respondents

Mr. Sachin Gite for the Appellants/Applicants.

CORAM : GAURI GODSE, J.

DATED : 3rd MARCH 2025

ORDER :-

1. Heard learned counsel for the appellants.
2. Issue notice to the respondents, returnable on 11th June 2025.
3. In addition to Court notice, learned advocate for the appellants to serve the respondents, by private notice and file affidavit of service.
4. The appellants are seeking their undivided share in the property on the ground that it is an ancestral joint family property. Appellant no.1 is wife of respondent no.1 and appellant nos.2 and 3

are their children.

5. Prima facie, the appellants would be entitled to seek their share in the suit property. Hence, if any third party rights are created the appellants' rights are likely to be prejudicially affected.

6. Hence, during the pendency of the application, there will be ad-interim relief in terms of prayer clause (c).

7. Considering the relation between the parties and the nature of dispute, I am of the opinion that the parties should make one genuine attempt to resolve the dispute amicably. The parties are, therefore, at liberty to explore possibility of amicable settlement before the next date.

(GAURI GODSE, J.)