



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Writ Petition No.3042 of 2024

Laxman s/o Budhaji Meshram Vs. Navnath s/o Devaji Mankar and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Yash Venkatraman, Advocate for petitioner.
Mr.O.K. Masurkar, Advocate for respondent no.1.
Mr. A.S.Ambatkar, Advocate for respondent no.2.

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 13/10/2025.

1. I have heard the learned counsel for the respective parties.
2. The present petition is directed against the order dated 23.6.2023 passed by Cooperative Court, Nagpur, in Dispute No.232/2014 below Exhibit 41, whereby the learned Cooperative Judge rejected application for grant of temporary injunction . The said order was assailed by filing an appeal before the Appellate Court which confirmed the order passed by the Judge, Cooperative Court.
3. The learned counsel for the petitioner submits that both the Courts below failed to consider the fact of possession of the petitioner and recorded the findings contrary to the documents on record.
4. Per contra, learned counsel for the respondents supported the orders passed by both the Courts below.
5. I have gone through the contents of the petition as well as documents on record. After hearing the learned counsels appearing for the parties, it is revealed that the dispute pertains to the year 2014 and about 11 years have already elapsed.

Both parties have stated that the dispute is now pending for evidence.

6. In view thereof, I am not inclined to entertain the writ petition, considering that the issue of is pending for adjudication. Accordingly, it is directed that both the parties shall not to create any third-party interest in respect of the suit property till the Cooperative Court decides the matter finally. The learned Cooperative Court shall decide the matter on its own merits within a period of six months from today. It is made clear that this Court has not recorded any finding on the merits of the matter.

7. The petition stands disposed of accordingly.

(Siddheshwar S. Thombre, J)