IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12196 OF 2024

Govind Gopalrao Shinde And Another
VERSUS
Prakash Trimbakrao Shinde And Others
...
Mr. M. S. Karad, Advocate for the Petitioners
Mr. J. R. Patil, Advocate for Respondent nos.1 to 6
...

WRIT PETITION NO. 12128 OF 2024

Vishnudas Vitthalrao Shinde And Others
VERSUS
Prakash Trimbakrao Shinde And Others
.....

CORAM : AJIT B. KADETHANKAR, J.
DATED : 12TH OCTOBER, 2026

P.C. :-

. Writ Petition No.12128 of 2024 is not on board. Upon being mentioned, taken on board.

2. At the outset, Mr. J. R. Patil, learned Advocate for respondent nos.1 to 6 as also Mr. M. S. Karad, learned Advocate for the petitioners submit that the subject matter of both the Writ Petitions is one and the same i.e. the temporary injunction granted by the Trial Court against the present respondents. They submit that both the Writ Petitions be disposed of by a common order.

3. Way back on 21.08.2024, the petitioners/plaintiffs have lost the temporary protection granted by the Trial Court on an application under Order XXXIX Rule 1 and 2 read with Section 151 of the Civil Procedure Code. Initially, the temporary injunction application came to be allowed by the Trial Court which was under challenge before the First Appellate Court at the behest of the respondent/defendants. As observed above, the First Appellate Court vacated the temporary injunction granted by the Trial Court and the plaintiffs are thus before this Court.

4. After hearing both the sides, this Court vide order dated 03.02.2025 stayed the order passed by the First Appellate Court, meaning thereby the injunction granted by the Trial Court is in force during the pendency of this Writ Petition. It is not in dispute that the temporary injunction is in operation against the defendants atleast since 03.02.2025. Now, it is apprised that the matter has reached to the stage of evidence and the trial is shortly to commence.

5. In view of the above, and considering that the short controversy is confined to the grant of interim protection till disposal of the suit, I deem it appropriate to dispose of the

Writ Petition continuing the interim protection till disposal of the suit with a request to the Trial Court to conclude the suit proceedings within a time bound manner. Hence, I pass following order:

ORDER

a. Writ Petitions stand disposed of with a request to the Trial Court to conclude the trial proceedings within a period of six months from today.

b. Parties candidly agree that they shall not seek unnecessary adjournment in the matter and shall assist the Court for early disposal.

c. Interim protection granted by this Court on 03.02.2025 to continue till disposal of the suit.

d. Needless to mention, the Trial Court shall adjudicate the controversy before it on the basis of the evidence adduced by the parties without being influenced by any of the observations made during hearing of the temporary injunction.

(AJIT B. KADETHANKAR, J.)

Rushikesh/2026