IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12122 OF 2024

Leelabai Sukhdeo Puri And Another
VERSUS
Math Shri Brahamanand Saraswati Maharaj Sansthan And Another
...
Mr. S. S. Gangakhedkar, Advocate for the Petitioners
Mr. A. V. Lavte, AGP for Respondent-State
Mr. A. S. Kulkarni h/f Mr. J. V. Deshpande, Advocate for Respondent no.1

WITH
CIVIL APPLICATION NO. 12734 OF 2025
IN WP/12122/2024
.....

CORAM : AJIT B. KADETHANKAR, J.

DATED : 28TH OCTOBER, 2026

P.C. :-

. Heard.

2. Present Writ Petition could be conveniently disposed of taking on record a fair proposal advanced by Mr. A. S. Kulkarni h/f Mr. J. V. Deshpande, learned Advocate for respondent no.1.

3. Petitioners have taken exception to the order dated 03.10.2024 passed by learned Civil Judge Senior Division, Jalna in Civil Miscellaneous Application No.286 of 2021. Substantive prayer in the Writ Petition reads thus:

B) By an Order of this Hon'ble High Court in the like nature of writ and/or appropriate order or direction, kindly quashed and set aside the impugned order passed below Exh.58 in Civil M.A. No.286/2021 on 03.10.2024 by the learned Civil Judge Senior Division, Jalna consequently the application below Exh.58 may kindly be rejected.

4. This Court while issuing notice to the other side, in its order dated 13.11.2024 directed that the impugned order shall be stayed. Although the interim order was till next date of hearing, as a mater of fact undisputedly the interim order is still in operation. It was clarified by this Court in subsequent orders that although the effect and operation of impugned order would remain stayed, the proceedings in the suit were to continue.

5. On this backdrop as observed above, Mr. Kulkarni makes a fair statement that the Writ Petition be disposed of by staying execution and operation of the impugned order till disposal of the Civil Miscellaneous Application, with directions to the Trial Court to conclude the Civil Miscellaneous Application in a time bound manner.

6. Mr. S. S. Gangakhedkar, learned Advocate for the petitioner fairly accepts such proposal.

7. In view of this, Writ Petition stands disposed of with following order:

ORDER

a. Writ Petition stands disposed of.

b. The Trial Court is requested to conclude the Civil Miscellaneous Application within a period of six months from today.

c. None of the parties shall seek adjournment in the Civil Miscellaneous Application unless the Trial Court with a reasoned order justifies such adjournment.

d. The execution and operation of the impugned order dated 03.10.2024 passed by learned Civil Judge Senior Division, Jalna in Civil Miscellaneous Application No.286 of 2021 to continue till disposal of the Civil Miscellaneous Application.

e. Suffice to clarify, the Trial Court shall not be influenced by the observations made by the Court while passing the impugned order.

f. Civil Application if any, stands disposed of.

(AJIT B. KADETHANKAR, J.)

Rushikesh/2026