



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1905 OF 2024

Maroti Laxman Wakchoure
VERSUS
The District Collector And Others

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Mr.A.M.Gaikwad, Advocate for petitioner
Mr.S.D.Ghayal, Addl. G.P. for respondent nos.1 to 3
Mr.S.K.Shinde, Advocate for respondent nos.4 to 11

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CORAM : AJIT B. KADETHANKAR, J.
DATE : MARCH 11, 2026

ORDER :-

The petitioner/plaintiff who suffered rejection of his application filed under Order 39 Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, preferred an appeal before learned District Court. The appeal filed by the petitioner also came to be turned down by the District Court. As against that, present petition is filed.

2. Learned counsel for the petitioner would submit that the dispute is in between the two real brothers and that too about 4 R land. He submits that initially the respondent was looking after the subject-matter land for himself and as also for the petitioner. However, in the course of time, dispute cropped up between the brothers. The petitioner therefore filed the said suit. He submits that since beginning the petitioner is in possession of the suit land. His grievance is that the

issue of possession is not properly appreciated by learned trial court as also by learned District Court.

3. After arguing for some time, learned counsel for the petitioner, in all fairness, submits that the suit is of year 2020 and it has reached the stage of evidence. He submits that the petition may be disposed of with a direction to the trial court to hear and decide the suit within time bound.

4. Learned Addl. Govt. Pleader appears for respondent nos.1 to 3 and Mr.S.K.Shinde, learned counsel, appears for respondent nos.4 to 11.

5. In view of the above, the Writ Petition is disposed of with a direction to learned trial court to conclude the proceedings within a period of ten months from today. It is clarified that the parties shall not take unnecessary adjournment in the matter. All contentions of the petitioners are kept open to be agitated before the trial court with adequate evidence. Finding of learned trial court as also District Court are to the extent of the decision on application for temporary injunction.

[AJIT B. KADETHANKAR, J.]

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