



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

WRIT PETITION NO. 3081 OF 2024

Sandhya Sanjay Warad Through Its Gpa Holder Prabhu
Mahalinappa Warad

VERSUS

Shriganesh @ Vinod Uttareshwar Warad And Other

...

Mr. S. B. Madde, Advocate for the Petitioner

Mr. Ujjwal Patil h/f Mr. U. P. Giri, Advocate for Respondent
no.1

.....

CORAM : AJIT B. KADETHANKAR, J.

DATED : 25TH MARCH, 2026

FINAL ORDER :-

. Heard Mr. S. B. Madde, learned Counsel for the petitioner and Mr. Ujjwal Patil, h/b Mr. U. P. Giri, learned Counsel representing the respondent no.1.

2. Regular Civil Suit No.221 of 2018 is pending before the learned Civil Judge Senior Division Ahmedpur. The petitioner/original plaintiff has sought decree for perpetual injunction and declaration against the respondent in the Civil Suit. The respondents filed counter claim and also sought temporary injunction against the plaintiff/present petitioner till the disposal of the suit as well as the counter claim.

3. The Trial Court heard both the parties, however dissatisfied with the case presented by the present respondent no.1 for temporary injunction, the Court rejected the application for temporary injunction.

4. The respondent no.1 challenged the rejection order in Miscellaneous Civil Appeal No.13 of 2021. After hearing both the parties vide order dated 26.02.2026, the learned District Judge-1, Ahmedpur allowed the miscellaneous Civil Appeal and granted an injunction restraining the original plaintiff from causing any interference with the peaceful possession of the defendant no.1/counter claimant i.e. respondent over the land survey no.232/2/1 to the extent of 31 R land located towards the Northern side of the Ambejogai Ghatnandur road.

5. As against this order, the plaintiff has approached this Court vide the present Writ Petition.

6. Mr. S. B. Madde, learned Counsel for the petitioner points out that after securing the temporary injunction against the petitioner, the respondents attempted to obstruct the possession of the plaintiff under the garb of the temporary injunction. He submits that when pointed out to this Court, a statement was made by respondent no.1 that till the next date

no further steps shall be taken for execution of the impugned order. Mr. Madde submits that the suit is of 2018, and now the trial is in process and evidence is part heard.

7. In view of this, I find that the findings recorded by the learned District Judge need not be disturbed. As such, the Writ Petition stands dismissed with a request to the Trial Court to conclude the trial within a period of six months from today. The statement made by the respondent no.1 to this Court as is observed in the order dated 20.03.2024 shall continue till the disposal of the Civil Suit.

8. Writ Petition stands dismissed.

(AJIT B. KADETHANKAR, J.)