



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 515 OF 2025

RAMDAS MAROTIRAO PATIL
VERSUS
JEEVAN MASAJI GACCHE

...
Advocate for Petitioner : Mr. G. L. Deshpande
Advocate for Respondent : Mr. S. S. Gangakhedkar
...

CORAM : S. G. CHAPALGAONKAR, J.

Date : 16th March, 2026

ORDER :-

1. The petitioner raises an exception to the judgment and order dated 03.01.2025 passed by the learned Extra Joint District Judge – 1, Nanded in Misc. Civil Appeal No. 61 of 2023.
2. The petitioner is the plaintiff in Regular Civil Suit No. 297 of 2023. He moved an application belwo Exh. 5 under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, seeking temporary injunction to restrain the defendant, his agents, or any third party from interfering with or obstructing his possession of suit plot No. 56 (out of Old Sy. No. 106/2, New Sy. No. 89/2) situated at Ashwini Nagar, Dhanegaon, Tq. Dist. Nanded.
3. After considering the rival contentions, the learned Trial Court allowed the application and passed an order on 28.06.2023,

restraining the defendant from interfering with the plaintiff's possession. Aggrieved by this, the respondent filed M.C.A. No. 61 of 2023 before the District Judge-1, Nanded. Vide judgment and order dated 13.01.2025, the learned District Judge allowed the appeal and set aside the Trial Court's order. The Appellate Court stayed its own order till 13.01.2025. The petitioner has now impugned the said judgment in the present writ petition. On 13.01.2025, this Court issued notice to the respondent, returnable on 24.02.2025 and stayed the operation of the impugned order.

4. Mr. Gangakhedkar, learned counsel for the respondent, informs this Court that the suit has now reached the stage of evidence. He submits that if the parties cooperate, the suit can be disposed of within a period of six months from today.

5. In that view of the matter and without entering into merits of the matter, the writ petition stands disposed of with a direction to Trial Court to decide the suit within a period of six months from today.

6. Till disposal of the suit, the interim relief granted earlier by this Court vide order dated 13.01.2025 shall remain in force.

(S. G. CHAPALGAONKAR, J.)

Omkar Joshi