

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13982 OF 2025

Dattatray Bhausaheb Supekar And Another

VERSUS

Nanasaheb Nagnath Auti And Others

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Advocate for the Petitioners : Mr. Tekale Nikhil S

Advocate for Respondent Nos.1 to 6 : Mr. Rode Dilip B.

...

CORAM : S. G. CHAPALGAONKAR, J.

DATED : JANUARY 12, 2026

PER COURT :-

1. Heard.
2. Present writ petition takes exception to order dated 31.10.2025 passed by the Joint Civil Judge Senior Division, Shrigonda, District Ahmednagar below Exhibit-61 in R.C.S. No.71 of 2020.
3. The petitioners have filed a counter claim in R.C.S. No.71 of 2020 and sought relief of mandatory injunction. In counter claim, an application is filed seeking relief of temporary injunction. The said application is pending till this date. During pendency of the application for grant of temporary injunction, petitioners filed an application below Exhibit-61 to direct respondents to maintain *status-quo* in respect of suit property. The Trial Court refused to entertain the prayer. Although, Trial Court observed in para 9 and 10 that there is material to indicate that some construction activity is going on the

site, refused to accede petitioners request as main application for temporary injunction is pending. In the aforesaid backdrop, purpose would be served, if substantive application filed by petitioners below Exhibit-44 for grant of temporary injunction in counter claim is expeditiously decided on its own merit.

4. In that view of the matter, without delving into merits of the contention, writ petition stands disposed of with a direction to the Trial Court to decide petitioners application filed below Exhibit-44 for temporary injunction within a period of eight weeks from today.

5. Parties to co-operate.

(S.G. CHAPALGAONKAR, J.)