



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

WRIT PETITION NO. 1143 OF 2026

KACHARU VITTHAL KALE DIED THR HIS LRS GAYABAI
KACHARU KALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Amol N. Kakade h/f Mr. Ganesh P. Darandale, Advocate for
the Petitioners.

Mr. K. N. Lokhande, AGP for Respondents-State.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 03rd FEBRUARY, 2026.**

P.C.:-

1. The present Writ Petition takes exception to order dated 19.12.2025 passed by District Judge, Newasa in Miscellaneous Civil Appeal No.20/2024, thereby upholding order dated 16.08.2024 passed below Exhibit-37 by Civil Judge Senior Division, Newasa in Regular Civil Suit No.456/2018, by which petitioners' application for grant of injunction has been rejected.

2. The petitioners instituted Regular Civil Suit No.456/2018 before Civil Judge Senior Division, Newasa seeking relief of declaration that there was no existing road, as has been granted by order dated 09.01.2023 passed in Rasta Case No.57/2016. The petitioners also filed application for grant of temporary injunction during pendency of suit. The said application is rejected. In Appeal filed by petitioners, District Judge pleased to uphold order of Trial Court.

3. At this stage, Mr. Kakade, learned Advocate appearing for petitioners, on instructions, submits that now suit is posted for recording of evidence.

4. In that view of matter, instead of entering into merits of contentions, present Writ Petition can be disposed of by directing Trial Court to expeditiously decide suit. Hence, following order is passed:-

ORDER

- a. Writ Petition stands disposed of.
- b. The Civil Judge Senior Division, Newasa shall endeavour to decide suit within period of nine months from today.
- c. Parties to co-operate.

(S. G. CHAPALGAONKAR)
JUDGE