



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1951 OF 2026

ARUNKUMAR RAGHUNATH SOLUNKE
VERSUS
PAYAL RAVI JAWALE AND OTHERS

...
Mr. Bhimrao Ganpat Lathe, Advocate for the Petitioner.
Mr. S. N. Kendre, AGP for Respondents-State.

...
CORAM : S. G. CHAPALGAONKAR, J.
DATED : 23rd FEBRUARY, 2026.

P.C.:-

1. The present Writ Petition is filed with following prayer:

“B. The Order passed by Ld. Civil Judge Junior Division, Jalgaon, on dated 20/1/2026 in Reg. Civil Suit No. 255 of 2023 below Exhibit-1, may kindly be quashed and set aside and the Ld. Civil Judge Junior Division Jalgaon May kindly be directed to put Signature on the unsigned Order below Exhibit-23 in RCS No. 255 of 2023 pending before Ld. Civil Judge Junior Division Jalgaon by issuing appropriate writ and effect and force order below Exhibit-23 be treated as in existence till today since 1/4/2023”

2. Mr. Lathe, learned Advocate appearing for petitioner submits that petitioner has instituted Regular Civil Suit No.255/2023. In that suit application was filed below Exhibit-23 for grant of interim relief. It was allowed by Trial Court, however, order was not signed by Presiding Officer. The petitioner as well as respondents were under impression that there is interim order. However, when action was taken in respect of suit property before Debt Recovery Tribunal, petitioner was in need of certified copy. Therefore, he filed application for certified copy. At that time, it was informed

that order below Exhibit-23 is not signed by Presiding Officer. In this background, petitioner filed application seeking direction to sign order. However, Trial Court refused to sign order.

3. Perusal of order impugned depicts that although Rozanama of Regular Civil Suit No.255/2023 shows that order below Exhibit-23 has been passed, typed copy of order do not show it is signed by learned Judge. Thereafter, enquiry was caused and ultimately, it is found that draft order was prepared, but it was never signed by Presiding Officer. In that eventuality, only because there is reference in Rozanama that order has been passed below Exhibit-23, request of petitioner to issue direction to Presiding Officer/learned Judge to sign draft order cannot be accepted. This Court do not find any infirmity in impugned order, whereby learned Trial Judge refused to sign draft order prepared by his predecessor. Hence, there is no substance in Writ Petition.

4. In result, Writ Petition stands dismissed.

(S. G. CHAPALGAONKAR)
JUDGE