



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4422 OF 2026

Ranjeet Vitthalrao Sontakke

VERSUS

Nivrutti Laxman Ghorpade And Ors

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Mr. R M Sayyed, Advocate for the Petitioner

Mr. S. P. Joshi, AGP for Respondents

CORAM : S. G. CHAPALGAONKAR, J

DATE : APRIL 22, 2026

PC :

1. The present Writ Petition takes exception to order dated 08.01.2026 passed below Exhibit 22 in Misc. Civil Appeal No. 66/2024 pending before learned Additional District Judge -1, Jalna.

2. The Petitioner is Respondent in Misc. Civil Appeal No. 66/2024. The Appeal is filed by Respondent before District Court against order dated 22.10.2024, passed by Trial Court below Exhibit 5 whereby Defendants are temporarily restrained from interfering in possession of Plaintiff over suit property.

3. The issue raised before this Court that Respondent/Appellant secured time to file paper-book but failed to submit same. On 22.10.2024, he sought extension of time for filing of paper-book, which was granted and now seeks exemption from filing paper-book. The Appellate Court exempted respondent from filing paper-book observing that challenge in Appeal is to order passed below Exhibit 5 and, therefore, paper-book may not be necessary. The Petitioner is

aggrieved by said order.

4. The learned Advocate appearing for Petitioner submits that impugned order is perverse. The Respondent was duty bound to furnish paper-book. The Appellate Court erroneously granted exemption dehorse earlier orders mandating submission of paper-book.

5. This Court finds that when Misc. Civil Appeal is filed by a party, it is for him to place on record relevant documents, which are necessary for adjudication of dispute. There is no requirement of preparing paper-book as in case of Appeal against decree. The parties can place on record relevant documents and Misc. Civil Appeal can be decided without wasting time. In present case, impugned order would not cause any prejudice to Petitioner.

6. In result, this Court do not find any reason to entertain Writ Petition. Hence, Writ Petition stands rejected.

(S. G. CHAPALGAONKAR, J.)

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