



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5186 OF 2026
IN SAST/802/2026

Suresh Rama Pawar

VERSUS

Digambar Vithal Bhosale And Others

...

- Mr. Kuldeep Subhashrao Patil, Advocate for Applicant
- Mr. Mr. I. K. Wagh a/w Mr. G. L. Tade, Advocate for Respondent Nos. 1 to 4

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CORAM : MEHROZ K. PATHAN, J.

DATED : 08.05.2026

PER COURT :

1. Due to paucity of time, today the Second Appeal could not be taken up for hearing on admission. However, learned counsel for the applicant prays for grant of interim protection, as the Trial Court had decreed the suit, whereas the First Appellate Court has reversed the findings recorded by the Trial Court.

2. Learned counsel for the applicant submits that the Trial Court had granted injunction in favour of the plaintiff by decreeing the suit and thereby restraining the defendants from causing obstruction to the possession of the plaintiff over the land bearing Gat/Survey No. 40/A situated at Village Bendga, Tq. Nilanga, Dist. Latur. The boundaries of the suit property are stated as follows :-

East and North : Remaining land of Maruti Dhuman

West : Land of Namdev Tukaram Bhingole

South : Land of Narayan Sambhaji Sarate

3. It is further submitted that the defendants were also perpetually restrained from causing obstruction in utilization of half share in the well situated at the eastern common bandh of the suit property and the land of defendant No. 5.

4. Learned counsel for the applicant further submits that the First Appellate Court had framed an issue as to whether deceased Maroti had executed an agreement to sell dated 19.12.1986 in respect of the suit property and half share in the well and had handed over possession thereof to the plaintiff, and the said issue was answered in the affirmative.

5. Taking into consideration the aforesaid submissions, parties are directed to maintain status quo with regard to possession and nature of the suit property as on today till the next date of hearing.

6. Stand over to 18.06.2026.

(MEHROZ K. PATHAN, J.)