

VRJ

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.11 OF 2026
WITH
INTERIM APPLICATION NO.61 OF 2026
IN
SECOND APPEAL NO.11 OF 2026

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Maruti Dattatray Mane ... Appellant
V/s.
Ayesha Mustsfa Jamadar & Ors ... Respondents

Mr. Rajvardhan S. Chougule for the appellant.

Mr. Yuvraj Narvankar for respondent No.1.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : JANUARY 30, 2026

P.C.:

SECOND APPEAL NO.11 OF 2026

1. I have heard Mr. Chougule, learned advocate, appearing for the appellant. He has challenged the order passed by the District Court in the first appeal. The appellant is the original Defendant No.1. The suit was filed by the plaintiff seeking a mandatory injunction, and the suit was decreed, with directions issued to Defendant No.1 to remove the compound wall and construction. The said judgment was challenged before the Appellate Court, which confirmed the order passed by the Civil Court. The appellant has now approached this Court, challenging the order of the

Appellate Court.

2. Issue notice to the respondents, returnable **13th February 2026.**
3. To be listed **High on Board.**
4. Mr. Narvankar, learned counsel, waives service of notice on behalf of Respondent No.1, as he is the caveator.

INTERIM APPLICATION NO.61 OF 2026

5. Present interim application has been filed for an interim injunction, as an injunction was granted in favor of the appellant during the pendency of the appeal.
6. The caveator is present and opposes the application, contending that notices have already been issued and that the appellant has challenged the order of the Appellate Court, and a mandatory injunction has been granted.
7. Issue notices to the respondents, returnable on **13th February 2026.**
8. To be listed **High on Board.**

(MRS. VRUSHALI V. JOSHI, J.)