IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1022 OF 2026
WITH
INTERIM APPLICATION NO.8194 OF 2026

Pravin Manilal Sanghvi — Appellant
versus
Rahul Janardhan Dhamdhere and another — Respondents

Mr.Abhishek Salian with Ms.Ayesha Dhorajiwala i/by Nyaaya Legal for Appellant.
Mr.Abhishek R.Avachat with Mr.Indrajeet Jagdale i/by Shivshankar Hilal for Respondents.

CORAM : AARTI SATHE, J.

DATE : 16th October 2026

P.C.

1. This Appeal from Order has been filed under Order XLIII, Rule 1(r) read with Section 104 of the Code of Civil Procedure, 1908 (`CPC') challenging the order dated 13th October 2026 below Exhibit-15 in Special Civil Suit No.999 of 2026 by the learned Civil Judge, Senior Division, Shirur (`Trial Court') refusing ad-interim protection in respect of 27,500 sq.mtr boundary wall of the land which as per the Appellant belongs to him at Sanaswadi, Dist.Pune. Learned counsel on behalf of the Appellant submits that the aforesaid order passed by the Trial Court has been passed without appreciating the evidence on record and the facts of the case and the same has caused prejudice to him.

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2. Learned counsel for the Respondent, however, disputes the aforesaid position and submits that refusal of the ad-interim protection has been rightly done by the Trial Court.

3. Considering that the Appeal from Order is against the refusal of the ad-interim protection and since the application below Exhibit-15 is pending disposal, this Court is of the view that in the facts of the present case, the disposal of the Application below Exhibit-15 by the Trial Court be done on the next date of hearing i.e. on 4th November 2026.

4. This Court without delving into the merits of the matter and without forming a prima facie view of the dispute raised in the Application below Exhibit-15, directs the Trial Court to decide the motion on 4th November 2026. It is also directed that the Respondent file their reply to the aforesaid application below Exhibit-15 on or before 4th November 2026. No adjournments to be sought by the parties. All contentions of the parties are expressly kept open.

5. Status-quo to be maintained by both the parties in respect of the boundary wall of the suit property and the status-quo shall operate till 4th November 2026 when the Trial Court is directed to dispose of the motion.

6. The reply to the Application below Exhibit-15 to be filed by 30th October 2026 and be served on Appellant by 2nd November 2026.

7. The Appeal from Order stands disposed of. No costs. Interim Application, if any, stands disposed of.

(AARTI SATHE, J.)

M.S.Thatte