

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4947 OF 2024

Shraddha Ganesh Pasalkar

....Petitioner

Versus

Gopinath Krishna Pasalkar & Ors.

....Respondents

Mr. Veerdhaval Kakade, *for Petitioner.*

Mr. Yashodeep Deshmukh *i/b. Pradip Patil, for Respondent
Nos.1 & 2.*

Dr. Dhruti Kapadia, *AGP for State.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : FEBRUARY 2, 2026

ORDER :

1. By an Order dated April 8, 2024 ("***Interim Order***"), a Learned Single Judge of this Court, relying on ***S. Vanitha v. Deputy Commissioner***¹, granted protection to the Petitioner's possession over the premises for a period of four months in order to enable the Petitioner to take appropriate steps under the Protection of Women from Domestic Violence Act, 2005 ("***the Act***"). The interim order essentially directed the Petitioner to vacate the premises shared with the senior citizens, who are Respondents in this Petition.

1 S. Vanitha v. Deputy Commissioner, Bengaluru Urban District and Ors. – (2021) 15 SCC 730

2. Within the four-month period, no steps were taken by the Petitioner. Thereafter, a complaint was filed with the Judicial Magistrate and the same is pending. Meanwhile, the interim protection having run its course without any relief being gained by the Petitioner in the contemplated proceedings, the interim order is said to have been executed and the Petitioner is said to have vacated the premises. Learned Advocate for the Respondents submits that the premises have even been sold.

3. In view of the Petitioner having been vacated from the premises and the contention that the premises have been sold, it is fairly stated by the Petitioner that this Petition may be disposed of as infructuous, but without any prejudice to proceedings under the Act that are pending before the Judicial Magistrate. Learned Advocate for the Petitioner has instructions to submit, that despite the alleged sale of the said premises, the Respondents continue to live in the said premises after evicting the Petitioner by execution of the Impugned Order.

4. It is made clear that the disposal of this Petition would not stand in the way of the pursuit of the complaint under the Act in accordance with law. This Petition is hereby finally *disposed of* in the aforesaid terms.

5. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]