

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

Writ Petition No. 16078 of 2025

Mrs. Hema S. Sadaphule	...	Petitioner
V/s.		
State of Maharashtra	...	Respondent

Mr. Sudarshanj S. Sadapule, Advocate for the Petitioner.
Mr. N.C, Walimbe, Addl. GP a/w. Smt. R.M.Shinde, AGP for the
Respondent-State.

**CORAM : M.S. KARNIK &
S.M. MODAK, JJ.**

DATE : 19th January 2026.

P.C. :

Heard learned counsel for the Petitioner. It is the contention of the learned counsel for the Petitioner that the Petitioner was forcibly dispossessed from Shop No. 177/99, Laxmi Apartment, Tapowan Mandir Road, Pimpri on the intervening night of 02-03/04/2017. The Suit was, therefore, filed on 28th September 2017 under Section 6 of the Specific Relief Act within the mandatory six months limitation period.

2. It is submitted that 8 years have elapsed without any relief. Section 6 mandates summary disposal within the period of six months. It is the grievance of the Petitioner that the trial Court has persistently failed to adopt mandatory summary procedure despite request being made form time to time. It is the grievance that trial

Court has treated the suit as Regular Civil Suit and issues have been framed only after 8 years of litigation. The Petitioner has prayed for following reliefs:

“Dispose of suit summarily within 4-6 months under continued High Court supervision.”

3. In our opinion, the present petition is completely misconceived. The Petitioner is expecting a direction that the trial Court be directed to decide the suit filed under Section 6 in consonance with the procedure established by law. Obviously, the trial Court is bound to decide the suit in accordance with the procedure established by law. If the Petitioner has any grievance about any order being passed by the trial Court contrary to the provisions of law, it is always open for the Petitioner to challenge such orders before the competent forum. Some of the reliefs sought are in the nature of administrative directions which may not be possible for us to grant in exercise of writ jurisdiction under Article 226. It is open for the Petitioner to resort to the appropriate remedies as available in law. However, considering that the suit was filed as far back as in 2017, we request the trial Court to expedite the hearing of the suit preferably within a period of six months from today.

4. The Writ Petition is disposed of.

(S.M.MODAK,J.)

(M.S.KARNIK, J.)