

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

WRIT PETITION NO. 16651 OF 2025

Swapnil Sambhaji Kumbare And Ors ...Petitioners

Versus

Bhagwan Alias Narayan Sakharam Mokate
And Ors ...Respondents

Mr. Ajinkya Udane, a/w Indranil Maity, for the Petitioners.
Ms. Savina Crasto, AGP for the State.

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CORAM: N. J. JAMADAR, J.
DATED: 9th FEBRUARY, 2026

PC:-

1. Heard the learned Counsel for the petitioners.
2. A limited prayer in this petition is to direct an expedite hearing of MCA/395/2022 preferred by the petitioners against an order dated 13th October, 2022, passed by the learned Civil Judge thereby rejecting an application preferred by the petitioners for temporary injunction under the provisions of Order XXXIX Rule 1 of the Code of Civil Procedure, 1908.
3. The learned Counsel for the petitioners submits that the appeal was preferred by the petitioners – appellants against the said order passed by the learned Civil Judge on 28th November, 2022. Since then MCA/395/2022 could not be heard.

4. Without delving in the correctness of the assertions in the petition, with regard to the causes of delay, since the Misc. Civil Appeal assails an order passed under Order XXXIX Rule 1 of the Code of Civil Procedure, declining the relief of temporary injunction, the petition stands disposed with a request to the learned District Judge seized with MCA/395/2022 to decide the said appeal as expeditiously as possible and, preferably, within a period of six months from the date of communication of this order.

[N. J. JAMADAR, J.]