



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 16989 OF 2025

Shanta Uttam Jantre @ Shanta Vithal
Bhandare

...Petitioner

V/s.

Anwar Islam Shaikh (Deleted) and
Anr.

...Respondent

Mr. Rajesh Kachare *with Ms. Kashvi Anil for Petitioner.*

Mr. Sahil Ansari *for Respondent No. 2.*

CORAM: SANDEEP V. MARNE, J.

DATED: 27 MARCH 2026.

P.C.:

1) The Petition challenges order dated 23 September 2025 passed by Appellate Bench of Small Causes Court dismissing miscellaneous Appeal preferred by the Petitioner and confirming Trial Court's order dated 23 January 2025. By its order dated 23 January 2025 the Trial Court has rejected Application at Exh-42 for temporary injunction.

2) After going through the findings in the impugned orders in my view no prima facie case is made out by Petitioner for grant of

temporary injunction. However, at the same time, some arrangement needs to be made during pendency of the suit so as to ensure that Petitioner would be in position to secure some premises in lieu of the suit premises, if he succeeds in the suit.

3) At this stage, the learned counsel appearing for the Respondent No. 2, on instructions of his client, who is personally present before the Court, makes a statement that in the event the Petitioner succeeds in RAD Suit No. 979 of 2015, Respondent No. 2 shall make available to the Petitioner premises of equivalent size as that of suit premises either in the same building or in some other building in the vicinity. Statement is accepted as undertaking given to the Court. The statement shall operate during pendency of RAD Suit No. 979 of 2015. Recording the statement made above, the Petition is accordingly **disposed of.**

[SANDEEP V. MARNE, J.]