

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

WRIT PETITION NO. 4281 OF 2026

Prashant Digambar Kulkarni ...Petitioner

Versus

The State of Maharashtra and ors. ...Respondents

Mr. Amey Deshpande, a/w Vandana Bait, for the Petitioner.
Mr. Hamit Mulla, AGP for the State.

CORAM: N. J. JAMADAR, J.

DATED: 6th APRIL, 2026

PC:-

1. Heard the learned Counsel for the Petitioner.
2. When the Court expressed its disinclination to entertain the petition, the learned Counsel for the Petitioner seeks leave to withdraw the petition with liberty to institute the suit before the Civil Court and assail the legality and validity of the order passed by the Mamlatdar under Section 5 of the Mamlatdar's Court Act, 1906 and seeks injunctive reliefs therein.
3. Leave granted with liberty as prayed for.
4. In case the Petitioner institutes a suit before the Civil Court alongwith an application for temporary injunction, the

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learned Civil Judge is requested to hear and decide the application for temporary injunction expeditiously.

5. It is clarified that this Court has not entered into the merits of the matter so far as the legality and validity of the impugned order to be assailed before the Civil Court in the civil suit.

[N. J. JAMADAR, J.]