



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5268 OF 2026**

Subhash Bhaginath Khakal	...	Petitioner
versus		
Francis Rodrigues and Ors.	...	Respondents

Dr. Rajendra G. Wagh, for Petitioner.

**CORAM: N.J.JAMADAR, J.
DATE : 4 MAY 2026**

P.C.

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this Petition is to an order dated 3 January 2026 passed by the learned Civil Judge, Sr. Division, Nashik, on an application preferred by the Petitioner for grant of temporary injunction under the provisions of Order 39 Rule 1 and 2 of the Code of Civil Procedure, 1908.
3. The impugned order is appealable under the provisions of Order 43 of the Code, 1908 before the jurisdictional Appellate Court.
4. The Writ Petition stands disposed with liberty to the Petitioner to file an appeal before the competent Appellate Court under Order 43 of the Code, 1908.
5. The time spent by the Petitioner in prosecuting this Petition may be accounted for under Section 14 of the Limitation Act, 1963, in the event the question of limitation arises.

(N.J.JAMADAR, J.)