

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5562 OF 2026

Bajirao Tukaram Ghanvat Since Deceased ..Petitioners
Through Legal Heirs, Ganpat Bajirao Ghanvat
and Ors

Versus

Dnyaneshwar Tukaram Ghanvat and Ors ...Respondents

Mr. Vaibhav Sugdare, with Bajrang M Solanke, i/b Prashant
Darandale, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATE : 16th JUNE 2026

P.C.:

1. Heard the learned Counsel for the parties.

2. The challenge in this Petition is to an order dated 11th February 2026 passed by the learned Civil Judge, Senior Division, Khed Rajgurunagar, whereby an application to vacate the temporary injunction granted by the civil Court, by an order dated 17th August 2018, on the ground of suppression of material facts, came to be rejected.

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3. Though the Application was preferred under the provisions of Section 151 of the Code of Civil Procedure, 1908 (“the Code”), the Application, especially the grounds therein, had the trappings of an

Application under Rule 4 Order 39 for vacation of the order of temporary injunction

4. Thus, the impugned order is appealable under the provisions of Order 43 Rule 1(r) of the Code.

5. The Petition thus stands disposed with liberty to the Petitioner to file an Appeal against the impugned order before the Appellate Court.

6. The time spent in prosecuting this petition may be accounted for under Section 14 of the Limitation Act, in the event the question of limitation arises.

7. It is clarified that this Court has not entered into the merits of the matter except the question of tenability of the Appeal against the impugned order.

[N. J. JAMADAR, J.]