

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6488 OF 2026

Parvati Kedarinath Jadhav

..Petitioner

Versus

Nirmalaben Shambhu Prasad Patel
since decd. through LR's & Ors.

...Respondents

Mr. Vikas Kolekar, for the Petitioner.

CORAM : N. J. JAMADAR, J.

DATE : 08th JUNE 2026

P.C.:

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this petition is to an order dated 18th March, 2026 passed by the learned District Judge whereby the learned District Judge called upon the respondent to file reply to an application filed by the petitioner to grant status quo during the pendency of RCA No. 52/2022.
3. The said appeal has been preferred by the petitioner/appellant, aggrieved by an order passed by the Executing Court under the provisions of Order XXI Rule 97 of the Code of Civil Procedure, 1908.
4. Mr. Kolekar submitted that, initially status quo was granted till next date by an order dated 07th May, 2024. Thereafter, the status quo was orally extended.

5. Since the status quo has not been extended by an order, the Executing Court is proceeding with the execution of the decree. Therefore, it is necessary to grant the status quo, submitted Mr. Kolekar.

6. If the status quo was continuously extended by the learned District Judge by passing orders on the successive applications submitted by the petitioner, it was incumbent upon the petitioner to seek extension of status quo by filing applications after 07th May, 2024, as well. Thus, at this stage and especially in view of the time lag, this Court cannot consider the prayer for grant of the status quo.

7. Nonetheless, since the petitioner has filed an application for grant of status quo and the said application awaits decision by the learned District Judge, it would be in the fitness of things to direct the learned District Judge to pass an appropriate order on the application for grant of status quo (Exh. 34) in RCA No. 52/2022 as expeditiously as possible and, preferably, on 18th June, 2026 on which date the RCA No. 52/2022 is listed before the learned District Judge.

8. The learned District Judge is also requested to make an endeavor to hear and decide the RCA No. 52/2022 as expeditiously as possible.

9. The Writ Petition stands disposed.

[N. J. JAMADAR, J.]