

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2448/2026

IN

SECOND APPEAL NO. 97/1998

NIVRUTI SHANKAR JADHAV

SINCE DECEASED THR. LEGAL HEIRS

SHIVAJI NIVRUTI JADHAV & ORS.

..... APPLICANTS

IN THE MATTER OF

NIVRUTI SHANKAR JADHAV

SINCE DECEASED THR. LEGAL HEIRS

SHIVAJI NIVRUTI JADHAV & ORS.

..... APPELLANTS

VS

RAMKRISHNA LAXMAN PAGAGE

SINCE DECEASED THR. HIS LEGAL HEIRS

SMT. SUMAN RAMKRISHNA PAGARE & ORS.

..... RESPONDENTS

Adv. Sachin Gite for the Applicants.

Mr. A. R. Patil, Additional G.P. for the State.

CORAM : RAJESH S. PATIL, J.

DATE : 30 MARCH, 2026

P.C. :-

1) Mr.Gite, learned advocate appearing for the applicants submits that during the pendency of the Second Appeal, this Court had granted stay to the impugned order passed by the District Court thereby restraining the respondents from obstructing the right of way

of the applicants from his land. The respondents however, made a complaint with the Police Station and the Police Inspector of Pimpalgaon Baswant Police Station issued notice to them under Section 168 of the BNSS Act, and are thereby trying to circumvent the order of interim protection granted by this Court.

2) None appeared for the State when the matter is called out. Additional Government Pleader Mr.A.R.Patil is requested to appear in the present proceedings and take instructions from the relevant police station.

3) Stand over to **6 April, 2026**.

[RAJESH S. PATIL, J.]