



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 328 OF 2025

Kishanchand Mulchand Gyanchandani, Thru. LRs
Vs.

Smt. Chandradevi @ Chandadevi wd/o Jagannathprasad Gupta and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Y.A. Kullarwar, Advocate h/f Mr. M. Anilkumar, Advocate
for petitioners.

Mr. Dipesh N. Mehta, Advocate for respondent Nos.1 to 5.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 12.03.2026

By this petition, the petitioner has challenged the order passed by the First Appellate Court on the applications for temporary injunction. It is now pointed out that first appeal itself is ripe for final hearing and paper-book is also filed and the matter is listed for final hearing on the next date i.e. 23.03.2026.

2. In view of this, it is suggested that instead of entertaining the challenge to the interim order, passed in the first appeal, the first appeal be directed to be decided finally. This appears to be a fair suggestion and therefore, instead of entertaining the challenge to the interim order passed in the first appeal, it is desirable that the first appeal be directed to be decided finally.

3. In view of this, writ petition is disposed of with a direction to the Appellate Court to decide the RCA No.277/2024 expeditiously. It is made clear that this Court has not dealt with any of the issues on merits and all the issues are kept open.

4. It is also clarified that the Appellate Court shall decide the first appeal on the basis of evidence on record, without being influenced by the findings recorded in the impugned orders.

5. Writ petition stands disposed of accordingly.

6. Pending civil application(s), if any, also stand disposed of accordingly.

(Prafulla S. Khubalkar, J.)