



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

WRIT PETITION NO.1585 OF 2026

Chief Officer, Municipal Council, Bhandara
Vs.
BTB Sabji Bhaji Vyapari Association, Bhandara 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. Akash Joshi, Advocate for petitioner.
Mr. M.P. Khanjanchi, Advocate for respondent No.1.
Ms. Prachi Joshi, AGP for respondent Nos.2 & 3/State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 25.02.2026

Heard learned counsel for the petitioner,
learned AGP for the respondent Nos.2 & 3/State as well as
learned counsel for respondent No.1, who had appeared
suo moto.

2. By this petition, the petitioner – Municipal Council, has challenged the judgment and order dated 30.07.2025 passed by the learned Principal District Judge, Bhandara, in Misc. Civil Appeal No.36/2024, by which, the appellate Court has reversed the order passed by the trial Court on the temporary injunction application and granted temporary injunction to restrain the petitioner/defendant No.3 and its officers, servants etc.,

from disturbing the possession of the plaintiff i.e. respondent No.1 herein.

3. In view of the controversy involved and the contentions being based on issues which could be decided during adjudication of the suit, it is desirable that the civil suit filed by the respondent No.1 bearing Regular Civil Suit No.137/2024 is directed to be decided in a time-bound manner.

4. Considering the controversy involved, the writ petition is disposed of with direction to the trial Court to decide the Regular Civil Suit No.137/2024 expeditiously and preferably within a period of nine months from today.

5. It is made clear that all the issues on merits are kept open and trial Court is directed to decide the civil suit on the basis of evidence, without being influenced by the findings recorded by the appellate Court in the impugned order.

6. In view of this, writ petition is disposed of.

(Prafulla S. Khubalkar, J.)