



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

WRIT PETITION NO.3076 OF 2025

Anil Sakharam Bonde and Others **Vs.** Arun Dattatray Bonde

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. C.A. Joshi, Advocate for the Petitioners.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 27th FEBRUARY, 2026

1. Heard learned counsel for the petitioners.
2. Petitioners' challenge is to the Order dated 08.12.2021 passed by the trial Court thereby, allowing the application for temporary injunction in Regular Civil Suit No.26/2021 and the judgment and order dated 04.10.2024 passed by the Appellate Court, dismissing the appeal preferred by the petitioners.
3. Petitioners' are the original defendants in the suit for permanent injunction, in which the respondent-plaintiff had filed an application for grant of temporary injunction to protect his possession. By Order dated 08.12.2021, the trial Court allowed the application for temporary injunction and restrained the petitioners-defendants from disturbing the peaceful possession of the respondent-plaintiff over the suit property. The said order was challenged by the defendants by filing Misc. Civil Appeal No.13/2022, which came to be dismissed by judgment and order dated 04.10.2024.

4. Perusal of the findings recorded by the trial Court as well as the Appellate Court reveals that the respondent-plaintiff has proved his settled possession over the suit property. On the basis of 7/12 extracts placed on record, the respondent-plaintiff has *prima-facie* established his ownership over the suit property. Considering the documentary evidence available before the Courts below, the temporary injunction was granted in favour of the respondent-plaintiff.

5. It has to be noted that the trial Court has exercised the discretion to grant temporary injunction in favour of the respondent-plaintiff and the said discretionary order has been upheld by the Appellate Court.

6. Although the learned counsel for the petitioner submits that the impugned orders were passed without considering the stand taken by the petitioners-defendants, however, perusal of the order reveals that due consideration is given to all factual and legal aspects of the matter. The discretionary orders passed in favour of the respondent-plaintiff and the concurrent findings, do not warrant interference of this Court.

7. In view of above, the writ petition is **dismissed** with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)

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