



Amberkar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER (ST) NO. 14052 OF 2026
WITH
INTERIM APPLICATION (ST) NO. 14053 OF 2026**

Sanjay Yashvant Kandpile

Appellant

.. (Org. Plaintiff)

Versus

Vande Mataram Co-operative Housing Society
Ltd & Ors.

Respondents

.. (Org. Defendants)

-
- Mr. Chaitanya B. Nikte a/w Mr. Prajit S. Sahane & Mr. Rajesh Mehar, Advocates for Appellant

.....
CORAM : MILIND N. JADHAV, J.

DATE : MAY 7, 2026

P. C.:

1. Not on board. Mentioned by way of filing a praecipe dated 07.05.2026.
2. Heard Mr. Nikte, learned Advocate for Appellant.
3. The grievance expressed by Mr. Nikte, learned Advocate for Appellant i.e. Plaintiff before me is that ad-interim injunctive relief has been refused by Trial Court to the Plaintiff while issuing notice on Exh. 5 Application. Matter is now slated to be heard on 02.07.2026 before Trial Court as informed by Mr. Nikte. It is absolutely needless to file such heavy Appeal from Order (AO) brief in this Court when all that the Plaintiff is stating is that he should be heard by the Trial Court expeditiously. Matter is sub - judice.



4. Another apprehension expressed by Mr. Nikte is that there is likelihood of the Defendants creating third party rights on the basis of rejection of ad-interim relief. If the Plaintiff harbours any such apprehension, he can undoubtedly approach the Trial Court and the Trial Court will look into it and pass appropriate order as required to be passed in law.

5. Considering the fact that Exh. 5 Application in Special Suit No. 211/2026 is being heard by the Trial Court, parties are directed to complete their pleadings and argue the Exh. 5 Application before the Trial Court in accordance with law. Trial Court shall consider the submissions of parties on merits of the matter and decide Exh. 5 Application accordingly by passing a reasoned / speaking order.

6. All contentions of Plaintiff as well as Defendants before the Trial Court are expressly kept open without this Court giving any imprimatur on merits of the matter.

7. With the above directions, Appeal from Order and Interim Application are both disposed.

[MILIND N. JADHAV, J.]

Amberkar

Digitally signed
by RAVINDRA
MOHAN
AMBERKAR
Date:
2026.05.08
10:47:36
+0530