

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4232 OF 2021

Raakesh Rajendrakumar Agarwal **...Petitioner**

V/s.

Sunderlal Eklinsi Jain And Ors **...Respondent**

Mr. Prasad Dhakephalkar, *Senior Advocate (Through VC) with Mr. Kishor Patil , Ms. Akshada Nagrale, Mr Amish Kikle and Mr. Amol Mhatre i/b Mr. Amol P. Mhatre for Petitioner.*

Ms. Yashika Jain *i/b Ms. Aarti Bhandari for Respondent Nos. 1 and 2.*

Mr. Dilip B. Shinde, *for Respondent No. 10.*

CORAM: SANDEEP V. MARNE, J.

DATED: 17 APRIL 2026.

P.C.:

1) Heard Mr. Dhakephalkar, the learned Senior Advocate appearing for the Petitioner.

2) The Petitioner is aggrieved by order passed by the Trial Court on 14 February 2019 injuncting him from creating third party rights in respect of the suit property and from disturbing Plaintiffs' possession of suit properties. The order of the Trial Court is confirmed in Appeal by the Appellate Court vide order dated 21 June 2021.

3) It appears that there is Sale Deed dated 15 December 2016 executed in favour of the Petitioner/Defendant No. 11 in respect of the suit properties. Plaintiffs claim title in respect of suit properties on the strength of prior Sale Deeds dated 17 February 2007 and 27 August 2007. Both the parties appear to be loggerheads with regard to genuineness and authenticity of sale deeds executed in favour of each other.

4) Mr. Dhakephalkar submits that Petitioner/Defendant No. 11 has filed a counterclaim questioning validity of 2007 Sale Deeds executed in favour of the Plaintiffs. He therefore submits that if Petitioner/Defendant No. 11 is restrained from creating third party rights in respect of suit properties, similar embargo ought to have put on Plaintiffs also so as to preserve the subject matter of the suit. So far as possession aspect is concerned, Mr. Dhakephalkar does not press any relief at this juncture.

5) While this Court was about to dispose of the Petition by directing even Plaintiffs to maintain status quo in respect of the Suit properties, Ms. Jain, the learned proxy counsel appearing for Respondent Nos. 1 and 2 seeks time. Subject to hearing the counsel for Respondent Nos. 1 and 2, the Court proposes to direct maintenance of status quo by the Plaintiffs in respect of the suit properties.

6) List the Petition for further consideration on **18 April 2026**.

[SANDEEP V. MARNE, J.]