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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 504 OF 2025
WITH
INTERIM APPLICATION NO. 11576 OF 2025
IN
APPEAL FROM ORDER NO. 504 OF 2025

Jyoti Kitchen Industries Pvt. Ltd. and Ors.

Appellants (Orig.

.. Defendant Nos.1 to 3)

Versus

Vasant Atmaram Patil and Ors.

.. Respondents

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- Mr. Girish Godbole, Senior Advocate a/w. Mr. Sumit Kothari, Advocate i/by Prakruti Joshi for Appellants.
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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 17, 2026.

P.C.:

1. Heard Mr. Godbole, learned Senior Advocate for Appellants.
2. Due to the exigency mentioned by Mr. Godbole, the present matter is taken out of turn at the time of rising.
3. Mr. Godbole would submit that injunction has been allowed in the Suit filed by Plaintiffs wherein Plaintiffs are admittedly owners of 50% of the Suit property. He would submit that execution of the document between the parties and consideration have been complied with. It is so admitted in the Suit plaint itself.

4. However Plaintiffs form 50% part of vendors who executed the agreement and their claim is that due to the influence of the other 50% vendors group, Plaintiffs were compelled to execute the agreement. What is clinching is that Plaintiffs have received their share of approximately Rs.1.22 crores of the consideration from the Defendants.

5. Mr. Godbole would also submit that the other 50% of group of vendors have also received 50% share of consideration amounting to approximately Rs.1.2 crores. He would submit that this transaction was executed in the year 2023 and was duly registered. The total amount in the transaction as pointed out by him is approximately Rs.2.44 crores. He would submit that the entire consideration amount has been paid by Appellants.

6. The injunction is granted on the premise that the Sale Deed does not expressly state the boundaries of the Suit property / plot and there is a dichotomy of the claim of possession between the Plaintiffs and Defendants. Hence, injunction has been granted.

7. In view of the above, an arguable case has been made out by Mr. Godbole for issuance of notice to Respondents for hearing.

8. Since no notice has been given about today's mentioning at the time of rising and the exigency expressed today, I direct Respondent Nos.1 to 8 to remain present on the next adjourned date

through their Advocate by Mr. Singh and apprise the Court accordingly.

9. Copy of this order shall be served on Mr. Singh by the Advocate for Appellants.

10. Needless to state that Respondents shall be fully heard in the matter on the aspect of injunction.

11. Stand over to **22nd January 2026**.

[MILIND N. JADHAV, J.]

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