



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5679 OF 2026

DATTA S/O. DEVIDAS GUNJAL AND OTHERS
VERSUS
RAMRAO S/O. BAPURAO PAUL AND OTHERS

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Mr. Sushant B. Choudhari, Advocate for Petitioners
Mr. K. S. Hoke Patil, AGP for Respondent No.17.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : 08th JUNE, 2026.

PER COURT :

1. Heard.
2. Issue notice to respondents, returnable on 06.07.2026.
Learned AGP waives notice for respondent no.17.
3. Mr. Choudhari, learned Advocate for petitioners submits that petitioners have filed Regular Civil Appeal No.21 of 2020 before District Judge-2 and Additional Sessions Judge, Bhoom assailing judgment and decree dated 03.08.2020 passed by learned Civil Judge Junior Division, Washi, Dist Dharashiv in Regular Civil Suit No. 376 of 2008. The petitioners have also filed an application for stay to execution of decree. While decision on application for stay is pending, a possession warrant in pursuance to decree under appeal has been issued. He would, therefore,

urge that the execution of decree and possession notice dated 26.05.2026 needs to be stayed till decision of learned District Judge on application for stay.

4. Considering submissions advanced and fact that substantive challenge to the decree is subject matter of appeal before District Judge, it is therefore deemed appropriate to protect petitioners at least till disposal of application Exhibit-5.

5. In that view of matter, till returnable date, there shall be ad-interim relief in terms of prayer clause (C).

6. Learned AGP to communicate this order to concerned authority.

(S. G. CHAPALGAONKAR)
JUDGE