



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

WRIT PETITION NO. 3782 OF 2026

SURESH S/O CHUNNILAL AGRAWAL
VS
NIRANJAN S/O JAGOBAJI WASE AN OTHERS

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Sahil Dewani, Advocate for petitioner.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 05.05.2026

Heard learned counsel for the petitioner.

2. The petitioner's challenge is to the order dated 12.01.2026 passed by the appellate Court, Nagpur, rejecting the application under Order XXXIX Rule 1 and 2 of the Code of Civil Procedure, by which the petitioner/appellant had sought for temporary injunction to restrain the respondents from creating third-party interest.

3. Learned counsel for the petitioner points out that by order dated 14.08.2008 passed by this Court in Appeal Against Order No.13/2008, the defendants in the suit, who were respondent Nos.1 and 2 in the said appeal, were restrained from creating any third-party interest in

the suit property and this interim order was operating during the pendency of the suit. He therefor prays for grant of order of *status quo* with respect to the suit property.

4. In view of this, issue notice to the respondent, returnable on 17.06.2026.

5. The petitioner is permitted to serve the respondents by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

6. In the meantime, there shall be ad-interim relief in terms of prayer clause (iii), which reads below :

“(iii) Direct the Respondents to maintain the status quo with respect to the suit property and restrain them from creating any third-party interest, alienating, transferring, encumbering or dealing with the suit property in any manner whatsoever during the pendency of the present Writ Petition and the Regular Civil Appeal No.355/2025.”

(Prafulla S. Khubalkar, J.)