



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

WRIT PETITION NO. 3787 OF 2026

ASHFAQUE AHMAD S/O MOHD. ARSHAD  
VS  
SMT. HASINA BEGUM W/O ABDUL MAJID AND OTHERS

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

Court's or Judge's Orders.

Mr. U.A. Gosavi, 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 judgment and order dated 17.03.2026 passed by the appellate Court, by which, the order of temporary injunction granted by the trial Court is reversed.

3. Learned counsel for the petitioner submits that the trial Court has granted the temporary injunction by considering the *prima facie* case with regard to the plaintiff's possession of the suit property and by recording observations that the defendants failed to show their possession over the suit property. Accordingly, the trial Court restrained the defendants from causing any interference with the plaintiff's possession. However, the

appellate Court has reversed this discretionary order and rejected the application for temporary injunction.

4. In view of the controversy involved, issue notice to the respondents, returnable on 22.06.2026.

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, by way of ad-interim relief, it is directed that the possession of the petitioner shall not be disturbed.

**(Prafulla S. Khubalkar, J.)**