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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5182 OF 1996

Laxmibai W-o. Keshav Janardan Pendurkar And Ors. ...Petitioners
Versus
Ushabai W-o. Vasant R. Kandalgaonkar
(since Deceased) Through Her Heir And Anr. ...Respondents

Mr. Advait Vajaratkar for the Petitioners.
Mr. K. K. Sasavade a/w R. K. Sasavade, Mr. Amol Thorat & Satyajit S.
Patil for the Respondent Nos. 1A(i) to AA(iii).

CORAM : M.M. SATHAYE, J.

DATE : 4th FEBRUARY, 2026

P.C. :

1. By the order dated 19.12.2025 passed by this Court (at Circuit Bench Kolhapur), the petition being an old one, it was fixed for final disposal on 22.01.2026.
2. On 22.01.2026, the petition was not proceeded on merits and it was adjourned to 28.01.2026 under the caption for 'dismissal'.
3. On 28.01.2026, the advocate for the Petitioners sought time to argue the matter and matter was fixed for final disposal today at 2.30 p.m. On that day itself, it was clarified that no adjournment shall be granted on next date and the Petitioner was directed to remain present before the Court.
4. In these circumstances, today learned counsel Mr. Vajaratkar

appears for the Petitioners and seeks short accommodation for filing Vakalatnama and proceed with the matter. He fairly submits that none of the Petitioners is present before the Court today as directed.

5. Learned counsel for the Respondents have raised strong objection for any further adjournment. Considering the earlier orders as explained above, he submits even after transfer of the case to Circuit Bench at Kolhapur, three dates have passed and his clients (landlord) are awaiting for fruits of the eviction decree under concurrent findings since last more than 43 years considering that the suit is filed in the year 1983. He further submits that even the amount of contractual rent is not paid.

6. In the aforesaid circumstances, the petition cannot be adjourned on mere asking.

7. Accordingly, the Petitioners are directed to pay costs of Rs.10,000/- to Mr. Vasant Mahesh Kandalgaonkar before next date, who shall accept it on behalf of all Respondents.

8. It is clarified that if the costs are not paid before next date, the interim stay/status-quo granted in the petition shall be vacated.

9. Stand over to 16.02.2026 at 3.30 p.m. for final disposal.

(M.M. SATHAYE, J.)