

rpa

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

SECOND APPEAL NO.674 OF 2010

Subhash Anna Suryavanshi .. Appellant

Versus

Pandurang Dhondiba Margale & Ors. .. Respondents

.....
Mr.S.V. Sadavarte, Advocate for the Appellant.
Mr.P.P. Kulkarni, Advocate for the Respondents.
.....

CORAM : R.K. DESHPANDE, J.

DATED : JUNE 15, 2015

P.C.:

The plaintiff is before this Court against the concurrent finding of fact recorded by both the Courts below to the extent that the plaintiff has failed to established his title over the suit property and also the possession. Hence, the decree for permanent injunction has been passed. Undisputedly, the document of title which is said to be a sale deed dated 7th September, 1999 in favour of the plaintiff, has not been produced. There is no other document placed on record in support of the claim. In view of this, the findings recorded by both the Courts below do not give rise to the

substantial question of law. Similarly, the finding of possession is also a finding of fact and there is no documentary evidence available on record in support of such claim. No substantial question of law arises. Second Appeal is dismissed.

(R.K. DESHPANDE, J.)