

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL SIDE JURISDICTION

JUDGE'S ORDER NO.69 OF 2015

IN

NOTICE OF MOTION NO.235 OF 2015

IN

EXECUTION APPLICATION (L) NO.103 OF 2015

IN

S.L.P.C.C. NO.27803 OF 2014

IN

PAUPER PETITION NO.4 OF 1996

IN

SUIT NO.3993 OF 1997

Prakash Ganpat Sawant	...	Applicant
Vs.		
Ravindra Babaji Satam & Ors.	...	Defendants

Mr. Prakash G. Sawant in person for applicant.
P G Lad, AGP for State of Maharashtra for defendants.

CORAM : MRS. ROSHAN DALVI, J.

DATE : 17th June, 2015.

P.C. :

1. The plaintiff has applied for a judge's order to obtain leave under Section 2 of the Maharashtra Vexatious Litigations (Prevention) Act, 1971 to continue the proceedings in the above Notice of Motion which is in the above execution application which is in the above suit.

2. The suit has been dismissed on merits after considering the case of all the parties. An appeal therefrom has also been dismissed.

3. The plaintiff proceeded in execution. The decree of dismissal could not be executed. Hence that has been dismissed by the Prothonotary and Senior Master of this Court. Thereafter a Notice

of Motion taken out by the plaintiff in the execution was dismissed since the suit as well as appeal was dismissed and the application of execution of the decree was also dismissed. The plaintiff took out an earlier J.O. No.289 of 2003 which is also been dismissed.

4. Thereafter the then learned advocate general filed a petition under the Maharashtra Vexatious Litigations (Prevention) Act, 1971 restraining plaintiff from filing further applications. That petition came to be made absolute as prayed. The plaintiff filed an appeal therefrom which has been dismissed.

5. There appears to be other such JOs also taken out including J.O. No. NIL of 2003 which was dismissed. An appeal therefrom has again been dismissed. It appears that the plaintiff has gone on filing various JOs which have been dismissed as also the appeals therefrom.

6. The SLP filed by the plaintiff in the Supreme Court has also been dismissed.

7. Consequently no Judge's Order can be taken out by the plaintiff in the above suit or in the execution of the above suit. Hence Judge's Order is rejected.

8. The plaintiff shall pay costs of this application fixed at Rs.50,000/- to the Govt. of Maharashtra.

(ROSHAN DALVI, J.)