IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
Writ Petition No.2823 of 2008
(Sagir Ahmed Abdul Kadir and another v. Hasina Khatoon wd/o Mukhtyar Ahmed and another)

Office Notes, Memoranda of Coram, appearances, Court's orders or directions and Registrar's order	Court's or Judge's orders

Shri S.B. Patil, Advocate for Petitioner.
Shri A.M. Tirukh, Advocate for Respondents.

Coram : R.K. Deshpande, J.
Dated : 5th February, 2015

The challenge in this petition is to the order dated 22-4-2008 passed below Exhibit 37 in Final Decree No.2 of 2004. The application under Sections 2 and 3 of the Partition Act for direction to sell the property and distribute the proceeds to the shareholders, has been rejected. The specific finding is recorded on the basis of the Court Commissioner's Report that the share of the decree-holder can be given to her as per the decree. The Commissioner was not cross-examined. The Trial Court has accepted the report of the Commissioner. There is no ground to interfere.

The petition is dismissed. No costs.

Judge.

Lanjewar