

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

Writ Petition No.378 of 2015

(Sayyad Jahir s/o Sayyad Rajjak v. Vitthalsingh s/o Bhausing Yevatkar and others)

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

Shri K.P. Mahalle, Advocate, holding for Shri R.L. Khapre,
Advocate for Petitioner.

Coram : R.K. Deshpande, J.

Dated : 17th March, 2015

The Trial Court has held that the petitioner is neither a necessary party nor a proper party. The suit is for simpliciter injunction against the defendants from interfering with the possession of the plaintiffs over the suit property. Obviously, the injunction would follow only in the event the plaintiffs are found to be in possession of the suit property. If the petitioner-intervener claims to be in possession of the suit property, he has his own remedies available in law.

No interference is called for in the order impugned in this petition. The petition is dismissed.

Judge.

Lanjewar