

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

REVIEW APPLICATION NO.3535 OF 2015 IN
APPEAL FROM ORDER NO.108 OF 2014
(Abdul Kadar Abdul Sattar Kachhi Vs. Nijamoddin Samsoddin Pinjari)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Shri V.T. Chaudhary, Advocate for applicant
Shri Paresh B. Patil, Advocate for respondent

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CORAM : A.I.S. CHEEMA, J.
DATED : 14th March, 2016.

1. Heard learned counsel for the applicant as well as learned counsel for respondent. Perused the application and the review application tendered.

2. Learned counsel for the applicant is raising similar contentions as were raised at the time when the Appeal from Order was heard. This Court has already considered that what is tried to be invoked are provisions of Order XXXIX Rule 2-A of the Code of Civil Procedure, which is part of Chapter dealing with temporary injunctions and interlocutory orders. Apparently, when the suit is dismissed, resorting to such remedies would be uncalled for. Again there is record to show that rather the defendant had moved the Tahsidar to get the Mutation Entry cancelled, which entry agitated the plaintiff. Trial Court did not find substance and neither have I in the impugned order. There is no error apparent on face of record, calling for entertaining the review application. The review application is rejected.

(A.I.S. CHEEMA, J.)