

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

**NOTICE OF MOTION NO.1259 OF 2015
IN
EXECUTION APPLICATION NO.285 OF 2006
IN
SUIT NO.2620 OF 1995**

Shashikant Ganpat Rane ...Applicant

IN THE MATTER BETWEEN

Shashikant Ganpat Rane ...Plaintiff

V/s.

Sitaram Dhondu Rane & Ors. ...Defendants

.....

Mr. Chirag Shah i/by Mr. Jitendra J. Shah, Advocates for the Applicant.

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CORAM : A. K. MENON, J.

DATE : 12TH FEBRUARY, 2016.

PC.:

The Motion is taken out seeking direction against the Defendants to comply with the earlier order dated 7.4.2011. The learned Advocate for the Applicant admits that after the order dated 7.4.2011 was passed, possession of the suit premises being the subject matter of that order has already been taken by him. However, thereafter, Judgment Debtor has himself forcibly entered possession of the premises. Reliefs prayed for in the present Notice of Motion cannot be granted. Accordingly,

the learned Advocate for the Applicant seeks to withdraw the present Notice of Motion with liberty to take out appropriate proceedings. Accordingly, Notice of Motion allowed to be withdrawn with the liberty as aforesaid.

(A. K. MENON, J.)