

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

CRIMINAL APPLICATION (APL) NO.394 OF 2016.

(MRS. SHOBHA DATTUJI WANJARI & ANR...VS..STATE OF MAH. THR. PS AJNI & ANR.)

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

Court's or Judge's orders

Shri Vivek Awachat, Advocate for Applicants.
Shri R.S.Nayak, A.P.P. for Respondent No.1.
Shri P.R.Agrawal, Advocate for Respondent No.2.

CORAM : B.P.DHARMADHIKARI AND
KUM. INDIRA JAIN, JJ.

DATED : NOVEMBER 21, 2016.

Heard for sometime.

Question is whether submission of the present applicants that they are bonafide purchasers for a valuable consideration, is substantiated or not and whether no offences are made out ?

Prima-facie, the property of the deceased was sold three years after his death to one Mhaiskar. The applicants claim to have purchased it.

Respondent No.2 states that though sale have taken place, he is still in possession of the property. Respondent No.1 states that after investigation, grievance of respondent No.2 / complainant appears to be correct.

We find that the applicants have not obtained any title verification report though the applicant No.1 is stamp vendor and a petition writer.

In this situation, without observing anything on merits of the controversy and keeping all the rival contentions open, with liberty to the petitioner to raise appropriate grievance before the trial Court, we dispose of the petition.

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