

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

LETTERS PATENT APPEAL No.477 OF 2012

in

WRIT PETITION No. 856 OF 2012

Shir Bondalpati Nageshwarrao s/o Vyankateshwarrao

-Vrs.-

Ramkoti s/o Vyankatratratnam Vajja and another.

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

Court's or Judge's orders.

Shri A.P. Padhye, counsel for appellant.

CORAM : B.R. GAVAI AND P.N. DESHMUKH, JJ.

DATED : 4th JANUARY, 2016

The Hon'ble Apex Court in the case of Radheshyam and another Vs. Chhabinath and others reported in (2015) 5 SCC 423 has held that whenever judicial orders passed by the civil courts are challenged by the party, they are amenable only to a jurisdiction of this court under Article 226 and not to the jurisdiction under Article 227. Undisputedly, the order of the learned Single Judge out of which the present appeal arises has considered in the correctness or otherwise of the order passed by the learned Civil Judge, Junior Division, Mouda.

In that view of the matter, we find that the present appeal would not be tenable. It is, therefore, rejected on the ground of tenability.

JUDGE

JUDGE