

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

WRIT PETITION NO.09 OF 2016

(SURAJMAL CHUNNILAL AGRAWAL & 2 OTH...VS..VITHAL RUKMAI SANSTHAN & 4 OTH.)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : JULY 21, 2016.

None appeared for the petitioner on 18th April, 2016. Today, when the matter is called out, again there is no appearance on behalf of the petitioners.

The petitioners/ original defendants have challenged the judgment passed by the learned District Judge dismissing the appeal and maintaining the order passed by the trial Court by which the trial Court granted injunction in favour of the plaintiffs restraining the defendants from interfering with the possession of the plaintiffs on the suit property.

The learned trial Judge has considered the documentary evidence on record i.e. registered Gift Deed, dated 21st January, 1984 and the entries in the 7/12 extracts and has recorded that the plaintiffs have established that the plaintiff No.1 trust is in possession of the suit property through its trustees. The learned District Judge has also considered the documents on record and has concurred with the findings recorded by the trial Court.

I find that the findings recorded by the subordinate Courts are proper and based on documentary evidence on record. I see no reason to interfere with the impugned judgment and order.

The petition is **dismissed**. In the circumstances, the parties to bear their own costs.

JUDGE

Raut..

CERTIFICATE

I certify that this order uploaded is a true and correct copy of original signed order.

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