

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

Second Appeal No.408 of 2015

(Sudhakar s/o Marotrao Wadatkar v. Ku. Rukhsana Pravin d/o Sk. Sattar)

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

Shri M.P. Kariya, Advocate for Appellant.

Coram : R.K. Deshpande, J.
Date : 16th January, 2017

The Trial Court passed a decree granting the declaration that the plaintiff has established her ownership over 1.88 HR area of Survey No.348 on the basis of the registered sale-deed dated 25-2-2002. The plaintiff is held to be in possession of the suit property. However, the Trial Court rejected the relief of permanent injunction restraining the defendant from interfering with the possession of the plaintiff over the suit property. Regular Civil Appeal No.126 of 2011 has been dismissed by the lower Appellate Court. Hence, the original defendant is before this Court in this second appeal.

The registered sale-deed in favour of the plaintiff is not disputed. Both the Courts below have recorded the finding that the plaintiff is in possession of the suit property. The relief of permanent injunction restraining the defendant from interfering

with the possession of the plaintiff is rejected. This appeal is not by the plaintiff. No substantial question of law arises for consideration.

The second appeal is dismissed.

Judge.

Lanjewar