

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

CRIMINAL WRIT PETITION No. 854/2016.

Rohitas Meena Bahadursingh and another.

-VERSUS-

The Superintendent of Police, Yavatmal and another.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.

DATE : OCTOBER 06, 2017.

Heard Shri P.S. Wathore, learned Counsel
for petitioners and Mrs. K.S. Joshi, learned A.P.P. for
respondent nos. 1 and 2. None for respondent no.3.

2. Wrong mention of survey number in sale-
deed has come to notice only when petitioners went to
revenue office for mutation. Facts show that
thereafter, when they approached their vendor for
executing necessary correction deed, vendor has not
cooperated.

3. Though in the petition filed before this
Court there is a statement that petitioners were not
allowed in the vicinity of village Kumbha, by owner

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and owner has become tress-passer after execution of the sale deed and delivery of possession, such a grievance has not been made in the alleged police complaint.

4. After execution of sale deed, purchaser will definitely go to the field first and if there is any obstruction at that juncture, he will immediately lodge appropriate protest. Here the protest has surfaced after request of mutation was not entertained.

5. We therefore, find that the dispute appears to be essentially of civil nature. Hence, without prejudice to rights and contentions of petitioners in the matter and expressly clarifying that these observations are only for the purpose of adjudication of the present controversy, we dispose of the present petition. No costs.

JUDGE

JUDGE

Rgd.