

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.25130 of 2013

ORDER:

The petitioner complains interference by respondents on southern boundary of property acquired by petitioner through Gift Deed dated 02-11-2000.

This Court, after perusing the Gift Deed, is of the view that the Gift Deed is a document between the petitioner and the donor. The complaint is on alleged interference by respondents on southern boundary. If the petitioner has right, title and possession to the entire extent of Ac.3-32 gts., through Gift Deed dated 02-11-2000 and the link documents are in favour of donor, the petitioner has to issue notice under Section 80 of C.P.C. against such interference and if the interference still continues, the remedy of injunction is available or a suit for comprehensive reliefs would be treated as effective remedy against respondents.

As boundary disputes are stated to be involved between petitioner and respondents, this Court is not inclined to exercise its discretion or jurisdiction.

The writ petition fails and is accordingly dismissed. However, it is left open to the petitioner to work out appropriate remedy in accordance with law. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 21-06-2017
Prv

