

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**SECOND APPEAL NO. 538 OF 2014
with
CAS/1307/2014 IN SA/538/2014**

Vazir Tajuddin Gavandi

..Appellant

v/s.

The State of Maharashtra,
through Collector. Kolhapur
& Anr.

..Respondents

Mr. Gajanan Savagave for the Appellant
None for the Respondent.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 19TH NOVEMBER, 2018.**

P.C.

1. Heard the learned Counsel for the appellant. Perused the records. The appellant herein was the plaintiff in original Suit No.82 of 2008 which was filed for permanent injunction. The trial Court as well as the Appellate Court have recorded a finding that the appellant/plaintiff has failed to prove that he is in settled/legal possession of the property. The appellant herein has challenged the said finding, which in fact is a finding of fact. No substantial

question of law is involved. Hence appeal is dismissed.

2. Civil Application No. 1307 of 2014 does not survive in view of dismissal of the second appeal, and the same is accordingly dismissed.

(ANUJA PRABHUDESSAI, J.)