

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4636 OF 2018

Savita Jagannath Sonawale	.. Petitioner
Vs.	
Narayan Govind More and ors.	.. Respondents

Mr.Suryakant Pise, for the Petitioner.
None for Respondents.

CORAM : M.S.KARNIK, J.

DATE : 14th DECEMBER, 2018

P.C. :

- . Heard learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 23/01/2017 passed by the 8th Joint Civil Judge, Junior Division, Karad allowing the application at Exhibit 157 filed by the decree-holder. By this application Exhibit 157 decree-holder had prayed for return of record and proceedings back to the Collector which were called by the trial Court by order passed below Exhibit 58.

3. Learned Counsel of the petitioner assailing this order submits that without making any observation about the order passed below Exhibit 58 as regards the decision of the Court on application - Exhibit 58, the trial court has simply sent the record. I do not find any merit in the contention of the learned Counsel for the petitioner. The trial Court in the order impugned dated 23/01/2017 has in paragraph 2 clearly observed in the order passed below Exhibit 58, that the application of third party to the extent of his share only is allowed and thereby directed to adjust his share while effecting partition.

4. In this view of the matter, the contention of the petitioner is completely misconceived. The petition is dismissed.

(M.S.KARNIK, J.)