

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

SECOND APPEAL NO. 315 OF 2016

Mrs.Rohini Rupchand Jamdar & Ors. V/s. Solapur District Primary Teacher Co-op. Patsanstha Niyamit, Solapur		Appellants Respondent
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- Mr.Surel S. Shah for the Appellants.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 20th JUNE, 2018.

P.C. :

- 1] Heard learned counsel for the Appellants.
- 2] By this Second Appeal, the judgment and decree dated 3rd October, 2015 passed by the District Judge-2, Solapur, thereby dismissing Regular Civil Appeal No.54 of 2012 preferred against the judgment and decree dated 31st January, 2012 passed by the 10th Jt. Civil Judge, Junior Division, Solapur, in Regular Civil Suit No.798 of 2008 is challenged.
- 3] The said suit was filed by the Appellants for the relief of injunction in respect of land bearing plot No.58 and 59 situated at Nehru Nagar, Solapur, contending inter-alia that they are the owners of suit plots having purchased the same and being in possession

thereof as owners.

4] It was alleged that the Respondent-defendant is having its own land and on northern side and the Respondent-defendant is trying to make encroachment on the plot of the Appellants. Hence, the Respondent should be restrained from doing so.

5] Both the trial Court and the Appellate Court came to the concurrent finding that, as on today, no measurement is carried out as per the sanctioned lay out plan of the said land, so as to infer any encroachment on the part of the Respondent. No substantial question of law has been raised in this Second Appeal.

6] The Second Appeal is therefore dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]