

Sequeira

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION*

WRIT PETITION NO. 1210 OF 2018

Ismail Dost Mohd. Makrani ... Petitioner.

V/s.

State of Maharashtra
through Deputy Collector
(Enc / Removal) Thane and others ... Respondents

***ALONG WITH
Chamber Summons No. 87 OF 2018***

Kailashchandra Babulal Deora and another ... Applicants.

V/s.

State of Maharashtra
through Collector, Thane and others ... Respondents

Mr.Bhavin Gada i/b Mrityunjay Barai, for the Petitioner.

Mr.Sukanta A.Karmakar, AGP for State- Respondent No.1.

Mr.M.U.Pandey and R.M.Pandey, for Applicants.

Mr.Abhijit P.Kulkarni, for Respondent No.3.

***CORAM : R.M. Borde and
Prithviraj K. Chavan, JJ.***

DATE : 13 August, 2018.

P.C. :-

The Petitioner has requested for issuance of directions to the Respondents to furnish certain papers to substantiate the claim as regards his ownership over the property. The proposed intervener refutes the contention of the Petitioner as regards the ownership contending that the Petitioner is not armed with any declaration or order of the Civil Court, declaring him to be the owner of the property. It would be open for the Petitioner to avail of the remedies available in law for securing appropriate reliefs as claimed. It must also be noted that the Civil Court has ample powers to call for the necessary record and examine the same and the Petitioner may invoke the provisions of the Code of Civil Procedure and call for necessary papers in appropriate proceedings. With liberty as aforesaid, Writ Petition is disposed of.

2. In view of the disposal of the Writ Petition, the pending Chamber Summons does not survive and stands disposed of.

(Prithviraj K. Chavan, J.)

(R. M. Borde, J.)