

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.5009 OF 2017

Ravindra s/o Janardhan Gawande and ors.

-vs-

Shriram s/o Pundlik Gawande

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri R. J. Shinde, Advocate for petitioners.

Shri R. G. Nitnaware, Advocate for respondent.

CORAM : A.S.CHANDURKAR, J.

DATE : March 16, 2018

After hearing the learned counsel for the parties, I do not find that the appellate Court committed any error in allowing the application below Exhibit-5. Prima facie, as per the memorandum of petition dated 28/02/1995 the defendants have been shown entitled to 2 Hectares land on the southern side while the plaintiff is shown entitled to 2 Hectares 43 Acre land on the northern side. The injunction as granted protects interests of both parties. No case for interference is made out. The Writ Petition is therefore dismissed. No costs.

In the circumstances of the case the proceedings in R.C.S. No.91/2016 are expedited and the same shall be decided by the end of December 2018. Needless to clarify that observations made while deciding application for temporary injunction shall not influence the trial Court while deciding the suit.

JUDGE