

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 92 OF 2019

NIVRATTI NAGNATH KAMBLE DIED LRS MATHURBAI
NIVARATTI KAMBLE AND OTHERS
VERSUS
NARSING NAGNATH KAMBLE AND OTHERS

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Advocate for Petitioners : Mr. Chavan Sudhir K.

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CORAM: S. V. GANGAPURWALA, J.

DATE: 11th JULY, 2019

PER COURT:

1. Heard Mr. Chavan, learned Counsel for the Petitioners.

2. The petitioners are the original plaintiffs had filed suit for partition along with an application for temporary injunction. The application for temporary injunction is rejected. The appeal filed by the petitioner is dismissed on 20.02.2016.

3. For four years, the petitioners are not armed with the order of injunction. Even otherwise, the

observations made at the interlocutory stage are only *prima facie* in nature. The Court has to decide the suit on the basis of the evidence adduced. Considering the concurrent orders, I am not inclined to exercise the writ jurisdiction.

4. Writ Petition is disposed of. No costs.

[S. V. GANGAPURWALA, J.]

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