

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Civil Application No. 12602 of 2016
(In Second Appeal No. 0633 of 2016)

District : Beed

Baban s/o Malhari Nalkol,
since deceased through his
L.Rs.,

Rajendra s/o. Baban Nalkol,
died through his L.Rs.,

Chayabai wd/o. Rajendra Nalkol
etc.,
& others.

.. Applicants
(Original
plaintiffs)

versus

Sakharam s/o. Dagdu Bansode
& another.

.. Respondents
(Original
defendants)

.....

*Mr. Dhananjay P. Deshpande, Advocate, for the
applicants.*

*Mr. G.K. Thigle Naik, Advocate, for respondent
no.01 (caveator).*

Respondent no.02 served (Absent).

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 18TH MARCH 2019

ORDER :

01. By this civil application, the applicants -
appellants are praying for restraining the respondent

no.02 from alienating or leasing or creating any third party interest in the suit property.

02. Heard both sides.

03. It is to be noted, that though the appellants are seeking injunction against respondent no.02, at any earlier point of time, no such prayer was ever made since 2004, as it appears from the record. Further, the application is not clear as to how the appellants got apprehension that respondent no.02 would alienate or create third party interest. The application is vague on that aspect and, therefore, such application cannot be entertained.

04. Hence, the civil application is hereby dismissed.

(Smt. Vibha Kankanwadi)
JUDGE

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