

the petitioners are factually in possession and the sugarcane crops are standing on the disputed portion in respect of which the injunction is sought. In order to ascertain that the petitioners are still in possession, my attention is invited to the finding recorded by the trial Court that in Gat No. 101/7A, there is electric motor and pipeline which belong to the petitioners.

3. I have gone through the proceedings and perused the impugned order. The application Exhibit 42 is essentially filed for ascertaining the factual aspect as to who is in possession. There does not appear to be any boundary dispute or dispute of location as already held by the trial Court. I therefore do not find any error with the view taken by the trial Court that application Exhibit 42 is not tenable and deserves to be rejected. Hence, present Petition accordingly is dismissed with no order as to costs.

(M.S.KARNIK, J.)