

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3987 OF 2017

Smt. Babubai Sukarya Patil and ors. ...Petitioners

Versus

Vishnu Charu Ambekar ...Respondent

None for Petitioners.

CORAM: N. J. JAMADAR, J.

DATED: 21st JUNE, 2019

PC:-

- 1.** None present for the Petitioners.
- 2.** The petition assails the judgment and order passed by the District Judge, Thane, in Miscellaneous Civil Application No.168 of 2015, dated 23rd March, 2016, whereby the learned District Judge was persuaded to dismiss the appeal preferred by the Petitioners herein against the order dated 14th August, 2015, in Regular Civil Suit No.84 of 2015, passed by the learned Civil Judge, Junior Division, Thane.
- 3.** From perusal of orders passed by the Courts below, it becomes evident that the Trial Court as well as Appellate Court have found that the plaintiff – Respondent is in possession of the suit premises and therefore the defendants

- Petitioners have been restrained from causing obstruction to the possession of the plaintiff - Respondent over the suit premises and from creating third party right in the suit premises.

4. In view of the concurrent finding of facts, no case is made out for entertaining the petition in exercise of extraordinary jurisdiction under Article 227 of the Constitution of India. The petition, therefore, stands dismissed.

[N. J. JAMADAR, J.]