

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1074 OF 2018

Ranjan s/o Changoji Khobragade

vs.

Hemantkumar Shankarlal Mohabe

Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

None for the petitioner.
Shri. N. R. Rode, counsel for respondent.

CORAM : MANISH PITALE J

DATED : 04/12/2019

None for the petitioner

2. The learned counsel appearing for the respondent has invited attention of this Court to order dated 08/11/2017, passed by this Court in Writ Petition No.7142/2017, wherein identical issues were involved and the writ petition stood dismissed, thereby confirming the concurrent orders passed by the two Courts below directing eviction of the petitioner from the suit shop. It is informed by the learned counsel for the respondent that the present writ petition pertains to the adjacent shop and that possession has been taken by the respondent of the shop which is subject matter of the present writ petition.

3. The order dated 24/02/2018 passed by this Court

shows that only notice was issued and no interim order was passed in favour of the petitioner. It appears that in the absence of any interim protection granted, the respondent has executed the decree passed in his favour concurrently by the two Courts below and taken possession of the suit shop in accordance with law.

4. As noted above, none has appeared on behalf of the petitioner.

5. In view of the above, the writ petition is dismissed.

JUDGE