

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

WRIT PETITION NO. 4106/2019

Vaibhav A. Panode

..VS..

Ravita Bai B. Dhore & ors.

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

Court's or Judge's orders

Shri S.N. Bhattad, Advocate for the petitioner

CORAM : Z.A.HAQ, J.

DATED : 09/09/2019

In the civil suit filed by the respondent no. 1 praying for decree for declaration that she is entitled for her share in the suit property as per succession, and for separate possession of her share, the plaintiff had filed an application praying for temporary injunction restraining the defendants from creating any third party right, title or interest in the suit property. The trial Court allowed the application filed by the plaintiff and restrained the defendants from creating any third party right, title or interest in the suit property. The appeal filed by the petitioner – defendant no. 7 under Order 43 Rule 1 (r) of the Code of Civil Procedure is also dismissed.

After going through the impugned orders, I find that the subordinate Courts have rightly adverted to the relevant aspects and looking to the nature of dispute between the parties who are closely related, have rightly granted temporary injunction as prayed for by the plaintiff. It cannot be said that the subordinate Courts have committed any patent illegality or have exceeded their jurisdiction which

necessitates interference by this Court in the extraordinary jurisdiction.

Hence, the writ petition is **dismissed**. No costs.

JUDGE

Ansari