

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

WRIT PETITION NO. 4461 OF 2017

Maroti S/o Bhivaji Hatwar and Anr.

..VS..

Gopal S/o Buddhu Katakwar

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

Court's or Judge's orders

Mr Vasant D. Muley, adv. for petitioners.

Mr anup Digambar Dangore, adv. For respondent.

CORAM : Z.A.HAQ, J.

DATED : 17th July, 2019

Learned Advocate for the petitioners and the learned Advocate for respondent submitted that similar challenge is considered by this Court in Writ Petition No. 3886/2017, which is decided by the judgment dated 10.10.2018.

It is submitted that this Court has recorded that the petitioners (appellants before District Court) are permitted to argue two points relating to maintainability of the civil suit and effect of provisions of The Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, 1947 on the claim of the respondents. Adopting the same view as expressed by this Court in Writ Petition No.3886 of 2017 by judgment delivered on 10.10.2018, the present writ petition is also disposed. No costs.

JUDGE