

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

WRIT PETITION NO. 5753 OF 2019

(JAISING KISAN RATHOD & OTH...VS.. LALITA CHOKHA GAWAI & OTH.)

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

Court's or Judge's orders

Shri U.J.Deshpande, Advocate for Petitioners.

CORAM : Z.A.HAQ, J.

DATED : AUGUST 19, 2019.

Heard.

By this petition, the original plaintiffs have challenged the order passed by the trial Court by which application (Exh.64) filed by the respondents under Order I Rule 10 of the Code of Civil Procedure is allowed. The relevant considerations are in paragraph No.10 of the impugned order which show that the respondents are claiming to have share in the suit property through succession.

In the facts of the case, I find that the learned trial Judge has properly adverted to the relevant aspects. It cannot be said that the learned trial Judge has committed any illegality or error of jurisdiction which necessitates interference by this Court in the extraordinary jurisdiction.

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

JUDGE