

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 278 OF 2017

Shrinath Hulyalkar ... Petitioner

Versus

Mr.RamYallappa Kadar and anr. ... Respondents

Mr.Ritesh Thobde for the petitioner.

Mr. Sachin Thorat for respondent no. 1.

Smt. Aruna Pai, APP for the respondent State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : FEBRUARY 03, 2020

P.C.:

Heard learned counsel for the petitioner. Learned APP appears for the State and learned counsel is appearing for respondent no. 2. Perused the papers.

2. The report lodged by respondent no.1 clearly mentions that though 7/12 extra did not mention the name of seller as owner of the suit properties, the sale deed has been registered. We have perused the 7/12 extra which are forming part of that sale deed. Only in two documents, name of seller Smt. Mangalbai has been added in the last column where other rights/encumbrances are required to be entered. Three 7/12

extracts did not even mention her name anywhere. In this situation, we find that no case is made out for intervention at this stage.

3. We clarify that our findings are only for the purpose of present jurisdiction and it is open to the parties to prove their respective cases before the trial court in accordance with law.

4. With these observations, we dispose of the present petition.

5. Interim orders stand vacated.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)