

Tandle

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11245 OF 2017

Jainuddin Ibrahim Attar ... Petitioner.
V/s
Karima Salim Ansari & Ors. ... Respondents.

Mr. Mahesh Rawool for the Petitioner.
Mr. Mohd. Irafan Momin for the Respondents.

CORAM : A. S. GADKARI, J.
DATE : 12th MARCH, 2020

P. C. :

1. Learned counsel for the respondents, on instructions submitted that, the impugned Order dated 17th June 2017 passed below Exhibit-35 in Regular Civil Suit No.269 of 2016 has already been worked out i.e. concerned T.I.L.R. has carried out measurement of suit land and has prepared map of the same.

2. Perusal of record would indicate that, the impugned Order is purely interlocutory in nature.

Moreover, the impugned Order is capable of being challenged in an Appeal, which can be preferred against a decree in the Suit, in the event the Suit is decided against the petitioner.

3. In view thereof, interference in the impugned Order under Article 227 of the Constitution of India is not called for.

Subject to what is observed above, Petition is rejected.

All the questions on merits in the suit are kept open.

(A. S. GADKARI, J.)