

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

CIVIL APPLICATION (CAW) NO.1427 OF 2021
IN
WRIT PETITION NO.778 OF 2020

Ashok Govindrao Chavatkar (Dead) through his legal heirs 1] Manoj Ashok Chavatkar
and others

Vs.

Shri Kamlesh Pranlal Shah and others

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

Court's or Judge's orders

Ms. Manju M. Ghatode, Advocate for petitioners.
Mr. H. R. Gadhia, Advocate for respondent Nos.1 and 2.
Mr. K. L. Dhamradhikari, AGP for respondent Nos.3 to 6.

CORAM : AVINASH G. GHAROTE, J.
DATE : 28/09/2021

This is an application for directions to the respondent Nos.1 and 2, not to sell out the land owned by them, on the ground that it is subject matter of the proceedings which were pending before the learned Tahsildar, in the matter of claiming a right of way from the same. The mere fact that the land in which the right of way is claimed is the subject matter of a litigation cannot be a ground to grant the directions sought for. The civil application, therefore, is not tenable in law and it is rejected.

JUDGE