

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO.12098 OF 2022

MUSTFAKHAN CHANDKHAN ALIAS GANIKHAN
AND ANOTHER

VERSUS

MARIYAM CHANDKHAN ALIAS GANIKHAN
AND OTHERS

...

Advocate for Petitioners : Mr N.C. Garud

CORAM : SANDEEP V. MARNE, J.
DATE : 2nd DECEMBER, 2022

PER COURT :

1. By this petition, petitioners challenge order dated 25.08.2022 passed by the 9th Jt. Civil Judge Senior Division, Ahmednagar in Special Civil Suit No. 160/2020 below Exh. 46 rejecting application for appointment of Court Receiver for collection of rent from tenants in the suit property and deposit of the same in the Court.

2. Admittedly, there is no prayer in the plaint claiming any share in the rent received from the defendants or for means profit. Therefore, no purpose would be served in appoint of Court Receiver for collection of rent and for deposit of the same in the Court. Apart from this, the trial court has rightly rejected the application filed by petitioners as is absolutely vague in particulars about names of the defendants and the dates of their injunction. The trial court has rightly rejected the application.

3. The writ petition is devoid of merits and the same is dismissed without any orders as to costs.

[SANDEEP V. MARNE, J.]

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