

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8266 OF 2022

Prakash Mahadev Pawar & Anr.	.. Petitioners
Versus	
Vikas Dattatraya Pawar & Ors.	.. Respondents

Mr. Niranjan A. Mogre for the Petitioners
Smt. V. S. Nimbalkar, AGP for Respondent No. 10

CORAM : NITIN W. SAMBRE, J.

DATED : 12th JULY, 2022

P.C.:

1. The claim of petitioners is, mutation entries are sought to be incorporated in favour of respondents pursuant to the sale deed executed by defendants in a pending partition suit. According to them the respondents are party defendants to the said suit and in case if prayer for grant of injunction is moved, the order granting mutation entries will be considered to the detriment of the Petitioners.
2. As far as the aforesaid contentions are concerned, since the sale of properties are during pendency of the suit the effect of such transaction on the merits of the matter will definitely be appreciated by the Trial Court.
3. The mutation entries in favour of respondents are based on

the sale deed executed in their favour, however this does not preclude petitioners from claiming injunction during the pendency of the suit against such respondents/defendants. If such prayer is made, same be decided irrespective of mutation entries which are impugned in the Petition.

4. In view of the above, the petition stands dismissed.

(NITIN W. SAMBRE, J.)