

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

WRIT PETITION NO.4461 OF 2022

Sou. Sunita Ajit Bhokare and Anr. ..Petitioners

Versus

Smt. Antubai w/o Appa Bhokare

Since deceased through legal heirs

Sou. Malati Bapuso Khidrapure and Ors. ..Respondents

Mr. Tejpal S. Ingale, for the Petitioners.

CORAM : NITIN W. SAMBRE, J.

DATE : 18th APRIL, 2022

PC.

1. Heard.

2. This petition is by the defendant to a suit for declaration and injunction.

3. Admittedly, the sale-deed which is found to be basis for preferring the present petition is subsequent in point of time than that of the one in favour of the plaintiff/respondent.

4. The petitioner as such cannot claim better right than the plaintiff/respondent as the predecessor of the petitioner has already executed sale-deed in favour of respondent/plaintiff. That being so, no case for interference is made out.

5. The petition as such fails, dismissed.

[NITIN W. SAMBRE, J.]