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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 652 OF 2005

BHAU BABU ASWALE AND ORS

....PETITIONERS

V/s.

**GANU BABU ASWALE (PAWAR)
DECD BY LRS SHRIPATI G. PAWAR
AND ORS**

.....RESPONDENTS

None for the Petitioners

None for Respondents

CORAM : NITIN W. SAMBRE, J.

DATE: FEBRUARY 24, 2022.

P.C.:

1) None for the Petitioner. My attention is invited to the office note dated 05/02/2020. Connected Writ Petition in which same order was questioned is already dismissed on 27/01/2020. By impugned order in the petition, learned Additional District Judge has confirmed the findings recorded below Exh. 77 in R.C.S. No. 94/1994. Said Suit is for partition and possession.

2) Vide order dated 21/09/2004 passed below Exh. 77, Civil Judge

Junior Division, Shirala has restrained Petitioners from disturbing the possession of the Respondent-Plaintiff till disposal of the Suit. Said order is confirmed in Appeal. As such, this Petition by the Defendants.

3) It appears that order of injunction is not stayed by this Court and is in operation since 21/09/2004 i.e. for last about 18 years.

4) That being so, in my opinion, no case for interference in extraordinary jurisdiction is made out at this stage.

5) Petition stands dismissed.

[NITIN W. SAMBRE, J.]