

AGK

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

WRIT PETITION NO.6524 OF 2023

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Abdul Aziz Ishaq

... Petitioner

V/s.

Haji Nishar Ahmad Shabbir

Ahmad & Ors.

... Respondents

Ms. Rukmini Khairnar i/by Mr. Pramod N. Joshi for the
petitioner.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 30, 2023

PC.:

1. The order impugned is capable of being challenged in the appeal against the decision in objection proceedings in case the proceeding is decided against the petitioner. Therefore, the provisions of Section 105(1) shall apply to the proceedings under Order 21 Rule 97, CPC. Hence, interference at this stage under Article 227 is uncalled for.

2. The writ petition stands dismissed. No costs.

(AMIT BORKAR, J.)