

VRJ

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

WRIT PETITION NO.15695 OF 2023

VAIBHAV
RAMESH
JADHAV
Digitally signed by
VAIBHAV RAMESH
JADHAV
Date: 2023.12.20
11:16:48 +0530

Ramchandra Nivrutti More & Ors. ... Petitioners

V/s.

Arjun Rajaram Rupnawar Since
Deceased Through His Lrs. ... Respondents

Mr. Rajaram V. Bansode for the petitioners.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 19, 2023

P.C.:

1. By the impugned order, the Appellate Court has rejected petitioners' application for police protection. It appears that the petitioners challenged the decree for possession in a suit for partition. The Appellate Court granted conditional stay protecting petitioners' possession.
2. According to the petitioners, they are in actual possession of the suit property. They, therefore, seeks liberty to file appropriate application under Order 39 Rule 1 of the Civil Procedure Code, 1908 for protection of their possession.
3. If such application is filed, the Appellate Court is enjoined to decide such application in accordance with law.
4. With the above clarification, the writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)