

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1412 OF 2023

Indubai Yadavrao Undirwade __ Vs. __ Bebitai Aabaji Chichgare and anr

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.B.Raut, Advocate for petitioner
Mr. Rohit Joshi, Advocate for respondent nos. 1 & 2

CORAM : AVINASH G. GHAROTE, J.
DATE : 27/07/2023

1] Heard Mr. Raut, learned counsel for the petitioner and Mr. Joshi, learned counsel for the respondents.

2] A perusal of the sale deed dated 3.3.1986 of Nilkanth Bhandekar, the predecessor in title of the petitioner/original defendant, as supplied by Mr. Joshi, learned counsel for the respondents, indicates the existence of the lane to the eastern side, as found by both the courts below (para 12, pg 44 of Trial Court's order,) which lane is also reflected in the agreement dated 7.6.2004 as found by the learned Appellate Court (pg.54), considering which I am not inclined to interfere in the imp order of the Trial Court and the judgment of the learned Appellate Court. The petition is therefore dismissed. No costs.