



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

**WRIT PETITION NO.5547 OF 2023**

Manohar S/o Hiranman Ramteke .Vs. Sudhakar Hiranman Ramteke

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Shri P.D. Sharma, Advocate for petitioner.

**CORAM : ANIL S. KILOR, J.**

**DATED : 30/08/2023**

1. The application moved by the petitioner for temporary injunction restraining the defendant from creating third party interest in relation to the property in question came to be rejected vide order below Exh.5 dated 06.08.2022 and confirmed by the learned lower appellate Court vide impugned judgment and order dated 15.12.2022.

2. There is no dispute that there is a sale deed in favour of the defendant No.1 since 2002 and nothing has been brought on record by the plaintiff/petitioner that there is any intention of the defendant to create any third party interest or to alienate the property. Moreover, because of pendency of the suit, lis pendence will apply to any alienation if made and the decree would be binding on subsequent purchaser.

3. In that view of the matter, I do not find any error committed by both the courts below in rejecting the application for temporary injunction on the above referred grounds. Accordingly, the writ petition is **disposed of**.

**JUDGE**