



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

9 WRIT PETITION NO. 6530 OF 2024

**FARJANA BEGUM ABDUL SATTAR AND ANOTHER
VERSUS
SHAIKH SHAKILA PRAVIN SHIAKH RASUL
THROUGH GPA SHAIKH RASUL SHAIKH NAHNHU**

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Advocate for the Petitioner : ABSENT

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**CORAM : Y.G. KHOBRADE, J.
DATE : 18.09.2024**

PC.:-

1. Though the matter was repeatedly called out and even after recess none appeared in the matter. On face of record, it appears that on 15.10.2020 the learned 2nd Jt. C.J.J.D., Beed passed an order below Exh.5 and restrained the Defendants i.e. the Original Defendant/Petitioners from disturbing the possession of the Respondent over the suit land. Being aggrieved by the said order the Defendants filed Misc. Civil Appeal No.10/2021 under Order 43 Rule 1 of the C.P.C. On 06.02.2023, the learned Appellate Court passed the impugned order and dismissed the appeal holding that out of entire survey, the Defendant No.4-Aref holding 1H 38R and Defendant No.3-Navidujamma holding 60R land and no substantial grounds are set out to interfere with the order passed by the learned Trial Court while

deciding the temporary injunction application Exh.5. The suit pertains to 2018.

2. In view of the above, I do not find any reason to interfere with the findings recorded by both the Courts below, hence the present petition is dismissed. However, the learned Trial Court is directed to decide the RCS No. 568/2018 expeditiously.

[Y.G. KHOBRADE, J.]