



shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.476 OF 2024

RUPA JITENDRA DESHPRABHU

... PETITIONER

Versus

DR. VASUDEV RAJENDRA DESHPRABHU
AND 4 ORS

... RESPONDENT

Mr. Ashwin Bhobe with Ms S. Shaikh, Advocate for the petitioner.
Mr. Prasheen Lotlikar, Advocate for respondents.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 10th July, 2024

ORAL ORDER

1. Heard Mr. Bhobe learned counsel appearing for the Petitioner and Mr. Lotlikar learned counsel appearing for Respondent No.1.

2. The challenge in the present petition is to the order dated 11.04.2022 whereby an application for intervention filed by the Petitioner in the execution proceedings came to be rejected.

3. Mr. Lotlikar today points out that during the pendency of the present proceedings, the Petitioner again approached the Trial Court and filed objections under Section 47 along with order XXI Rule 58 of the Civil Procedure Code. Such objections have been dismissed by the learned Trial Court vide order dated 24.04.2024.

4. Considering the above facts, it was not expected from the Petitioners to agitate the matter here and simultaneously file another proceeding raising objections to the execution proceedings.
5. Even otherwise, the order passed and impugned in the present petition clearly goes to show that the present Petitioner is considered to be a trespasser and is not entitled for any intervention.
6. Now the application for objection under Section 47 is also dismissed, no interference in the impugned order is necessary
7. Accordingly, the petition stands disposed of as rejected.

BHARAT P. DESHPANDE, J.