

Shabnoor

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

WRIT PETITION NO.3502 OF 2017

SHABNOOR
AYUB
PATHAN

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Date: 2024.12.05
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Krushu Utpaan Bazar Samitti

... Petitioner

V/s.

Shivshankar @ Shivaji Bhagwan Virpe

... Respondent

Mr. Ajay A. Joshi for petitioner.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 5, 2024

P.C.:

1. The Trial Court by the impugned order has rejected petitioner's application under Order 26, Rule 9 of the Code of Civil Procedure, 1908 on the ground that during pendency of the suit exercise of measurement carried out through city survey authority. Therefore, rejection of application does not suffer from legal infirmity.

2. The writ petition stands disposed of.

(AMIT BORKAR, J.)