

Nikita

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

WRIT PETITION NO.2200 OF 2024

Prakash Rajaram Rane and Anr.

... Petitioners

V/s.

The Additional Collector
(Encroachment/Removal) Mumbai City
and Ors.

... Respondents

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Mr. Hitesh Vyas i/b Mr Chandrashekhar V. Yadav for the
Petitioner.

Mr. S. H. Kankal AGP for the State-Respondent.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 20, 2024

P.C.:

1. The petitioner claims that the sale deed in the name of Respondent No.6 is for and on behalf of joint family. According to him, the source of acquisition of property is from joint family funds and, therefore, according to him he has share in the property . This issue cannot be decided under the limited jurisdiction by the Grievance Redressal Committee. For adjudication of the said issue alternate remedy available with the petitioner is to get declaration by filing a Civil Suit.

2. Hence, keeping the remedy of the petitioner open to be agitated before the Civil Court, the writ petition is disposed of.

3. Learned advocate for the petitioner placed reliance on the affidavit dated 15th March 2021 executed by respondent No.6. It will be open to place reliance on the affidavit in the Civil Court.

(AMIT BORKAR, J.)