

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1501 of 2024

Prahlad Balkrishna Balghare and Ors. .. Petitioners
Versus
Suryakant Balkrishna Balghare .. Respondent

-
• Mr. Yatin Malvankar, Advocate for Petitioner.
.....

CORAM : MILIND N. JADHAV, J.

DATE : MARCH 19, 2024

P.C.:

- 1.** Mentioned. Not on Board. Taken on Board.
- 2.** Heard Mr. Malvankar, learned Advocate for Petitioner.
- 3.** Perused the praecipe dated 19.03.2024 and the Writ Petition
- 4.** There are two concurrent orders passed by the Trial Court and confirmed by Appellate Court against the Plaintiff placing a restrain from taking any further steps pursuant to transfer by Plaintiff of his undivided share in the suit property in the name of his wife. This is a dispute between two brothers.
- 5.** With the able assistance of Mr. Malvankar, I have perused the order dated 11.04.2022 passed below Exhibit-5 in Regular Civil Suit No.2034 of 2019 and confirmed by the District Court by order dated 27.10.2023 passed under Exhibit-21 in Miscellaneous Civil Appeal No.221 of 2022.

6. I have impressed upon Mr. Malvankar that this Court will refer to relegate the party to Trial Court with directions.

7. In that view of the matter, issue notice to the Respondent. Humdast permitted. In addition to Court's notice, Petitioners are directed to serve the Respondent a copy of this order and copy of the Writ Petition and inform him about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof. Respondent is directed to file Affidavit-in-Reply to the Writ Petition on or before the next date.

8. Stand over to **27th March, 2024 at 02.30 p.m.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

Digitally signed by
HARSHADA
HANUMANT SAWANT
Date: 2024.03.19
14:13:26 +0530