



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR**

**Writ Petition No.930 of 2024**  
SWAPNIL S/O. VIJAYRAO RAUT  
VS  
VILAS S/O. LAXMAN GAWAI AND OTHERS

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Shri S.S. Deshpande, Advocate for the Petitioner/s

**CORAM : ANIL S. KILOR, J.**  
**DATED : 09.02.2024**

1. Heard.
2. The re-issuance of possession warrant vide order dated 10.01.2024 passed by the Civil Judge Junior Division, Risod in Regular Darkhast No.39 of 2009, is under challenge in this petition.
3. The only ground is that, though the decree is for  $\frac{1}{4}$ <sup>th</sup> share in the suit property, the possession warrant is in respect of the whole property. However, nothing has been brought on record to show that the possession warrant is not for  $\frac{1}{4}$ <sup>th</sup> share but for the complete property.
4. Moreover, already the possession warrant was issued and since the suit property was found as 'Locked', the possession was not taken and therefore, by the impugned order, the possession warrant was reissued.

5. The copy of the possession warrant, which was earlier issued, is not produced on record and also the Panchnama (Exh.53) also not filed along with the present petition.

6. In the circumstances, as there is no material produced on record to substantiate the argument made by the learned counsel for the petitioner, I do not find any merits in the present writ petition. Accordingly, the writ petition is **dismissed**.

[ANIL S. KILOR, J.]