

VRJ

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

WRIT PETITION NO.2096 OF 2023

VAIBHAV
RAMESH
JADHAV
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VAIBHAV RAMESH
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Date: 2025.01.20
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Ramadevi Ready-made

... Petitioner

V/s.

Swami Samarth Creation

... Respondent

Mr. Kalpesh U. Patil for the petitioner.

Mr. Pravin Sabban i/by Dr. Ramdas Sabban for the respondent.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 20, 2025

P.C.:

1. The executing Court, by the impugned order, has rejected the petitioner's application under Section 47 of the Civil Procedure Code, 1908 on the ground that the objections raised by the petitioner fall beyond purview of Section 47 of the Civil Procedure Code, 1908.

2. Law in this regard has been settled by the Apex Court in the case of *Dhurandhar Prasad Singh vs. Jai Prakash University & Ors.* Reported in *AIR 2001 SC 2552*, wherein the Apex Court has held that the scope of judicial review in a proceeding under Section 47 of the Civil Procedure Code, 1908 is microscopic.

3. In view of the said judgment of the Apex Court, the order impugned in the writ petition does not require interference. The writ petition is, therefore, dismissed.

(AMIT BORKAR, J.)