

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL WRIT PETITION NO. 1807 OF 2024**

Meenanath Shivram Patil & Anr.

... Petitioners

V/s.

Vivek Balaram Deshmukh & Ors.

... Respondents

Mr. Abhinandan Vagyani i/b Adv. C.M. Lokesh and Adv. V.R. Patil for Petitioners.

Mr. Vishal Kanade i/b Sachin Pawar for Respondent Nos. 1 and 2.

Mr. Anish Khandekar for Respondent No.4.

Ms. Tanu N. Bhatia, A.G.P for Respondent Nos. 5, 6 & 8-State.

Mr. B.B. Sharma for Respondent No.7.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 18th March 2025.

P.C. :

1) This is yet another case wherein, though this Court is seized of a Petition for a relief for taking action against illegal construction (suit property), belatedly a suit has been filed by the Respondent Nos. 1 and 2 and the learned Judge of the Trial Court has tried to overreach the jurisdiction of this Court.

1.1) To ascertain the facts in greater detail, we direct the Registrar (Judicial-I) to call for the original proceedings of RCS No.117 of 2024 from the Court learned Civil Judge Junior Division, Uran District Raigad.

1.2) The Registrar (Judicial-I) is directed to inform the concerned Nazir/Assistant Registrar of the trial Court to send the record to this Court strictly as per the provisions of the Civil Manual.

The said record to reach to this Court on or before 28th March 2025.

2) Stand over to 28th March 2025.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)