



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

SECOND APPEAL NO.22/2021

Jayshree Khemraj Agrawal @ Jayshree Navinchandra Tank

...Versus...

Sant Bhilaji Maharaj Samajik Sanstha, Amravati through the Trustees Gajanan Chintaman Bulle and others

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

Court's or Judge's orders

Mr. R.D. Bhuibhar, Advocate for appellant
Mr. Mahesh Rai, Advocate for respondent No.7

CORAM : ROHIT W. JOSHI, J.

DATE : 29/09/2025

1. The present appeal is filed by the original plaintiff, who had filed a suit seeking following relief.

“The defendants be restrained by a decree of Permanent injunction from entering into the field Gat No.127 and Gat No.128 and the temple standing in the said field Gat No.128, as the said property is the private property of the plaintiff.”

2. The plaintiff/appellant has purchased land bearing Gat Nos.127 and 128 from her brother vide registered sale-deed dated 16/10/1985. Likewise, defendant/respondent No.7 has purchased land bearing Gat No.129 from the same vendor i.e. brother of the plaintiff/appellant vide sale-deed dated 02/02/1981.

3. The dispute between parties pertains to temple of one Bhilaji Baba. In the sale-deed dated 02/02/1981 there is specific reference of the existence of temple in the field

bearing Gat No.129. The subsequent sale-deed in favour of the plaintiff with respect to Gat Nos.127 and 128, there is no reference of the said temple.

4. Appreciating the contents of the sale-deeds, learned Courts have concurrently held that the temple is situated within the field Gat No.129 owned by the defendant No.7 and accordingly dismissed the suit. The findings recorded are pure findings of facts based on appreciation of documentary evidence.

5. In view of the above, no substantial question of law arises for consideration. The second appeal is dismissed. No order as to costs.

(ROHIT W. JOSHI, J.)