



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

WRIT PETITION NO. 3163 OF 2025.

Akshay Vijaysingh Thakur.

-VERSUS-

Deviprasadsingh Narayansingh Thakur.

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

Court's or Judge's Orders

Shri A. Sudame, Advocate for the Petitioner.
Shri A. Deshpande, Advocate for the Respondent.

CORAM : M.M. NERLIKAR, J.

DATE : FEBRUARY 12, 2026.

Heard.

2. The learned Counsel for the petitioner submits that the Appellate Court ought not to have taken into consideration the findings and observations of the Criminal Court passed in Criminal Revision No.3/2025.

3. On the other hand, the learned Counsel for the respondent submits that throughout the case of the petitioner was that the respondent is in

possession, therefore, according to him the Appellate Court while passing the impugned order has properly appreciated the case.

4. It is a settled position of law that the findings recorded by the Criminal Court are not binding on the Civil Court. In this view of the matter, I am of the considered opinion that without going into the merits of the matter, the present petition can be disposed of by observing that while deciding the appeal filed by the respondent, the Appellate Court shall not take into consideration the observations recorded in the order passed in Criminal Revision No.3/2025 by the Sessions Judge, Wardha and shall decide the Appeal on its own merits.

5. Thus, without observing anything on the merits of the matter, the Writ Petition is disposed.

JUDGE