

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

WRIT PETITION NO. 1526 OF 2024

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Baburao Dattu Chandere and Ors.

...Petitioners

Versus

Vijay Sheshmani Porwal and Anr.

...Respondents

Mr. Drupad Patil, *for the Petitioners.*

Mr. Prasad Dani *a/w Mr. Sumit Khaire i/b Mr. Nilesh Wable,
for the Respondent No.1.*

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : FEBRUARY 9, 2026

ORDER :

1. It is common ground that the Petitioner's core contention is that the land sold on February 19, 1990, admeasuring 64.5R, in Survey No. 51/1 (PT) is distinct and separate from another parcel of an identical area of 64.5 R of land forming part of the same survey number sold to Respondent No. 1, Mr. Vijay Porwal, on March 16, 1992.

2. It would be appropriate to issue notice to Respondent No. 2, to clarify the factual position on oath, which would resolve the matter and give clarity as to whether this contention is correct. Should the two

parcels of land be separate and distinct, the very underlying grievance which led to this Petition would stand resolved.

3. Therefore, Registry to issue notice to Respondent No.2, returnable on March 09, 2026. The Petitioner and Respondent No.1 shall also serve a copy of this order and the proceedings on Respondent No.2, to highlight that the Court would expect clarity on the subject, so that the matter is resolved one way or the other, and that it can even lead to the Petition not having to be adjudicated.

4. Stand over to ***March 09, 2026***.

5. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]