

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Civil) Nos.4984-4986/2009

(From the judgement and order dated 26/08/2008 in SA No.62/2008 & SA No.635/2007 & SA No.675/2007 of The HIGH COURT OF BOMBAY AT AURANGABAD)

KASHINATH VENKATRAO SALUNKE & ORS.

Petitioners

VERSUS

VINAYAK VISHWANATH DESHMUKH & ORS.

Respondents

(With appln(s) for exemption from filing O.T. and prayer for interim relief and office report)

Date: 15/05/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Dr. R.R. Deshpande, Adv.

Mrs. Ujwala R. Deshpande, Adv.

Mr. Anjani Kumar Jha, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

As a finding of fact has been arrived at by the High Court that the respondent has been in possession and the courts below have not gone into the question of title between the parties, we are of the opinion that no case has been made out for our interference under Article 136 of the Constitution.

The petitioners may approach an appropriate court as regards the question of title and they will be at liberty to raise all available contentions therein.

The special leave petitions are accordingly dismissed.

[Pooja Arora]
Sr.PA[Pushap Lata Bhardwaj]
Court Master