

Mohammad Baig Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Feb-06-2013

Appellant : Mohammad Baig

Respondent : The State of Madhya Pradesh

Judgement :

Writ Petition No :

1565. / 2013 Mohammed Baig and another versus State of MP and another
06.02.2013.

Shri M.

Adil Usmani for the petitioners. Shri Sanjeev Kumar Singh, Panel Lawyer, for the State.

Petitioners are plaintiff and have filed this writ petition challenging an interlocutory order passed by the learned court below on 2.11.2012, rejecting an application filed by them under section 141 read with Order 40 Rule 1 and Rule 151 of the Code of Civil Procedure, for appointment of a receiver.

The learned court has found that for the purpose of resolving the dispute between the parties, which is a private dispute, appointment of receiver is not permissible and the application has been rejected on the ground that for the nature of dispute proceeding under section 141 read with Order 40 Rule 1 and Rule 151 CPC is not

maintainable.

Rejection of the application by the court below for the reasons as indicated hereinabove, does not call for any interference in this proceeding under Article 227 of the Constitution.

Accordingly, the petition stands dismissed.

(RAJENDRA MENON) JUDGE A/s/-

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