

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 4544 OF 2018

PARWATIBAI UMAKANT BELURE AND OTHERS
VERSUS
UMAKANT MANMATH BELURE AND OTHERS

...
Advocate for Petitioners : Mr. Venjane Tukaram M.

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CORAM : V.K. JADHAV, J.

Dated: June 27, 2018

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PER COURT :-

1. I do not find any substance in this writ petition.
2. In a suit instituted for partition and separate possession in respect of the ancestral property against defendant no.1, one of the sisters of defendant no.1 has filed an application under Order 1 Rule 10 of the Code of Civil Procedure at exh.45. Since, the petitioners have not disputed the relationship with the said sisters, who has filed an application under Order 1 Rule 10 of the Code of Civil Procedure at exh.45, the trial court has allowed the application by impugned order dated 10.10.2017.

3. Learned counsel for the petitioners submits that, the sisters of the defendant no.1 have relinquished their share in the ancestral property by executing the registered relinquishment deed and the said point be kept open.

4. I do not find any fault in the order passed by the trial court. There is no substance in this writ petition. Writ Petition is dismissed without prejudice to the contentions raised by the petitioners about relinquishment of the rights in respect of the ancestral property by the sisters. No costs.

(V.K. JADHAV, J.)

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