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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7339 OF 2016

Smt. Meera Vilas Chavan and others ..Petitioners
Versus
Navnath Vitthal Londe and others ..Respondents

Mr. Ramesh L. Majgaonkar, Advocate for the Petitioners.
None for the Respondents.

CORAM: B. R. GAVAI &
M. S. KARNIK, JJ.

DATE: 6th OCTOBER, 2018

P.C.:-

1] The Petitioners, by way of present Petition, seek to reopen the suit in which decree has been passed. It is the contention of the Petitioners that the decree, which is obtained by consent, is a decree obtained by fraud and coercion etc.

2] Such a relief cannot be granted in extraordinary jurisdiction of this Court under Article 226 of the Constitution of India and the appropriate remedy is to file a suit for declaration that such a decree which is obtained by fraud, coercion etc. is not valid and binding in law.

3] Petition is therefore rejected, relegating the Petitioners to the ordinary remedy available to them in law.

(M. S. KARNIK, J.)

(B. R. GAVAI, J.)