

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

WRIT PETITION NO. 3308 OF 2019

**ANNA VISHWANATHRAO AANALDAS
VERSUS
VITHABAI JALBA AANALDAS AND OTHERS**

Mr. M. A. Golegaonkar & A. S. Golegaonkar, Advocate for Petitioner.

**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ**

DATED : 08th JULY, 2019.

PER COURT:-

1. Mr. Golegaonkar, the learned Advocate for the petitioner submits that the petitioner is not party to the compromise decree arrived before the Lok-Adalat. The said decree is collusive decree amongst the parties therein. Appeal is not maintainable against the said decree. As such, the present writ petition is filed.

2. It appears that the petitioner has already filed Civil Suit bearing RCS No. 219/2016. In the said Civil Suit the petitioner claimed the relief that the compromise decree arrived at between the parties be declared as illegal, null and void.

3. The petitioner has already initiated proceedings challenging the said decree by substantive suit. In the light of that, two proceedings challenging

the said decree would not be tenable. The petitioner has to raise his contentions in the pending Civil Suit. Writ Petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.