

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

WRIT PETITION NO. 14 OF 2019

VIJAYKUMAR BHASKAR RAJGIRE

VERSUS

KALPANA NANDKUMAR KATAFALKAR

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Advocate for the Petitioner : Shri R. R. Karpe

Advocate for Respondent No. 1 : Shri A. S. Barhate h/f.

Shri S. S. Chapalgaonkar

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 18th JULY, 2019.

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PER COURT :

1. This matter was not on board. It was mentioned by the learned Advocates that this matter can be disposed off. Hence, taken on the production board.

2. The learned Advocate for the respondent submits, on instructions, that the impugned order dated 13/12/2018 in RCS No. 104/2013 can be set aside with liberty to the respondent decree holder to avail of a remedy as is permissible

in law by approaching the executing Court.

3. The learned Advocate for the petitioner submits that in view of the above, this petition can be disposed off by setting aside the impugned order.

4. In view of the above, this petition is disposed off as the impugned order dated 13/12/2018 is set aside by consent. The respondent decree holder would be at liberty to take recourse to a remedy as is permissible in law for seeking execution and implementation of the decree in his favour delivered in RCS No. 160/1991.

(RAVINDRA V. GHUGE, J.)

shp/-