

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

918 WRIT PETITION NO.7802 OF 2018

RANGNATH HARI WAGHMARE
VERSUS
VISHNU HARI WAGHMARE AND OTHERS

...
Advocate for Petitioner : Mr. Bora Satyajit S.
Advocate for Respondents :Mr. A.P. Bhandari

...
CORAM : ROHIT B. DEO, J.
Date: January 14, 2020

...
PER COURT :-

1 I am not inclined to exercise writ jurisdiction to adjudicate the claim of the petitioner that the compromise decree is vitiated by fraud.

2 Leaving every contentions in the petition and in rebuttal open, the petitioner is permitted to withdraw the petition with liberty to approach the Civil Court, if so advised.

3 At this stage, learned counsel for the respondents submits that the suit may not be maintainable. This contention is also kept specifically open.

(ROHIT B. DEO, J.)