

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

920 CIVIL REVISION APPLICATION NO.15 OF 2019

KALPANA PITAMBAR JADHAV AND ANOTHER
VERSUS
SUNIL PITAMBAR JADHAV AND OTHERS

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Advocate for Applicants-Appellants : Mr. C. D. Fernandez.
Advocate for Respondent Nos.1 to 4 : Mr. S.B. Kadu.

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CORAM : V. K. JADHAV, J.
DATE : 29.01.2020

PER COURT :-

1. The learned counsel for the applicants, on instructions, in the light of the observations made by the District Judge-1, Bhusawal, District Jalgaon in Regular Civil Appeal No.84 of 2015 in paragraph No.9 to the effect that the parties will have to apply before the concerned Civil Court in order to get declaration of their status and their rights and interests in respect of the deceased and his properties, separate litigation is required to be presented for that purpose and in this Miscellaneous Civil Application, rights of the parties cannot be decided under the concerned provisions, seeks leave to withdraw this Civil Revision Application.

2. Considering the rival contentions of the parties to the original application in respect of the legal heirship proceeding, in paragraph No.9 of the impugned order, the learned District Judge has rightly observed that the parties shall resolve their disputes and get their rights established by approaching the Civil Court.

3. In view of the above, leave granted.

4. Civil Revision Application is disposed off accordingly.

(V. K. JADHAV, J.)

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