

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

**907 CIVIL APPLICATION NO.15229 OF 2019
IN RAST/39905/2019**

**REKHA UDHAV CHANGADE ALIAS REKHA GAJANAN ZORE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Applicant : Mr. Kokad Amol A & R.m. Jade
AGP for Respondent: Mrs. A.V. Gondhalekar
...

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

DATE : 03/01/2020

PER COURT :

1. We have considered the review application on merits itself.
2. Mr. Kokad the learned advocate for the applicant submits that this Court decided the Writ Petition No.2368/2017 under order dated 05.06.2018 on the premise that settlement was arrived at the Mediation Center. According to the learned counsel, no settlement had taken place at the Mediation Center. The matter was not disposed of as settled. However, the endorsement shows that the parties have decided to withdraw the case. According to the learned counsel no mediation had taken place on 25.10.2013. This Court only on the ground that the matter is compromised in Criminal (ULP) No.25/2010 had negatived the relief claimed by the petitioner.
3. We have considered the submissions. The matter was referred

to the mediation. The mediation report dated 25.10.2013 reads as under:

Both parties present with their Counsel/parties. Amicable settlement was arrived at/could. Hence the matter is sent back in the Hon'ble Court. Parties decided to withdraw case.

4. The same is also signed by the petitioner and her counsel so also the representative of the respondent and the counsel for the respondent. If there would not have been any settlement the Mediator was required to submit the failure report. However, the report specifically says that both the parties present with their counsel, amicable settlement was arrived at. Hence the matter is sent back in the Court. Parties decided to withdraw the case.

5. In case the petitioner was aggrieved by the report of the Mediator. It is for the petitioner to assail the said report of the Mediator.

6. As the mediation report states that the parties have settled the matter in writ petition, we were bound to consider the same.

7. In light of that no error apparent on the face of record, review application as such is dismissed. No costs.

(MANGESH S. PATIL, J.)

(S. V. GANGAPURWALA, J.)