

Shailaja

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

WRIT PETITION NO.4684 OF 2021

Narsingh S/o Mallaya Akulwar and another	]]	Petitioners
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VERSUS

The State of Maharashtra, through It's Secretary, Revenue Department, Mumbai and others.	]]]	Respondents
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Mr. Avinash D. Hande, Advocate for Petitioners.

Mr. R.D. Sanap, A.G.P, for Respondents No.1 to 3.

Mr. Shaikh Majit S h/f Mr. S.S. Deshmukh, for Respondent No.4.

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 27th April, 2022.

PER COURT :-

1. Not on board. Mentioned. Taken on board.
2. On 8th April, 2022, this Court has passed an order which reads thus;

“1. A compromise pursis is tendered on behalf of the petitioners and respondent No.4.

2. The respondent No.4 is a ninety years old mother of the petitioners who were directed to

pay Rs.5,000/- per month by the District Collector and the Appellate Tribunal under the Maintenance and Welfare of Parents and Senior Citizens Act.

3. This Court by an order dated 17.03.2021, on instructions of the petitioners to the counsel, permitted the petitioners to deposit Rs.40,000/- towards arrears of maintenance of the respondent No.4 to show their bonafides inter alia directing to pay Rs.3,000/- per month.

4. Today, neither the petitioners nor respondent No.4 are present. Looking to the advanced age of the respondent No.4, it is necessary to ascertain whether she agreed to the terms of compromise and thereafter, put her thumb impression. Even the thumb impression of respondent No.4 alleged to have been obtained over the compromise terms is not clear as it appears over the Vakilpatra of Advocate Mr. S.S. Deshmukh. In order to vouch the identity of the petitioners and respondent No.4, they shall remain present before this Court.

5. List the petition on 20.04.2022. First on board”.

3. Today, petitioners No.1 and 2 as well as respondent No.4 are present.

4. The parties have tendered the terms of compromise which are taken on record and marked “X” for identification.
5. I have personally ascertained from the parties, especially from respondent No.4, who is 90 years old as regards authenticity of the contents of the compromised terms. She agrees to the same.
6. In view of the recitals of the compromise terms, the petition stands disposed of.
7. There is no order as to costs.

[PRITHVIRAJ K. CHAVAN, J.]