

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4610 OF 2022

SAGAR POPAT GADEKAR AND OTHERS
VERSUS
SAKHUBAI BABAN GADEKAR DIED THR HER LRS
UMESH BABAN GADEKAR AND OTHERS

...
Advocate for the Petitioners : Shri Chapalgaonkar Shailesh S.
...

CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.

DATE :- 10th October, 2022

Per Court :-

1. The petitioners have put forth prayer clause B as
under :-

“B) The Ld. District Judge-1 Kopergaon may kindly be directed to dispose of the suit RCS No.140/2015 as per the compromise between the parties at Exhibit 83 and for that purpose issue necessary order.”

2. The learned advocate for the petitioners submits, on specific instructions from petitioner Nos.2, 3 and 4 (petitioner No.1 is deceased and these are his legal heirs), that there is no further litigation beyond the compromise at Exhibit 83 in RCS

No.140/2015.

3. As such, instead of entertaining this petition when the said proceedings are pending before the learned District Judge-1 at Kopargaon, we grant liberty to the petitioners to request the learned Judge in RCS No.140/2015 to proceed to pass orders on Exhibit-83. Needless to state, we have not expressed any opinion on the pleadings of the petitioners before us. The learned District Judge-1 would pass appropriate orders in the event of there being no legal impediment.

4. This Writ Petition is disposed off.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)