

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8223 OF 2022

PUTALABEE MANSURKHAN PATHAN DIED THROUGH
LRS ANWARKHAN MANSOORKHAN PATHAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR
AND OTHERS

...
Advocate for the Petitioner : Shri Kore Ganesh J.
AGP for the Respondents/State : Shri S.K. Tambe
...

CORAM : RAVINDRA V. GHUGE
&
ARUN R. PEDNEKER, JJ.

DATE :- 11th August, 2022

Per Court :-

1. The petitioners, who claim to be the decree holders,
have put forth prayer clause B as under :-

“B) By issuing writ of mandamus or any other appropriate writ or direction in like nature, the respondent No.1 may kindly be directed to execute the partition decree as per sec 54 of C.P.C. and as per letter dated 31.08.2004 issued by the Ld. C.C. Jr. Division Ahmedpur within stipulated period.”

2. It is stated that the petitioners have succeeded in
litigation till the Second Appeal level in this Court. They are not

aware of any litigation pending before the Honourable Supreme Court.

3. In view of the above, this Writ Petition is disposed off.

4. We expect respondent No.1/District Collector, who is empowered to initiate steps for executing the decree, to give highest priority to this matter since the decree is dated 26.12.1983 delivered in RCS No.328/1975 and the letter dated 31.08.2004 issued by the Executing Court was served upon the District Collector.

kps (ARUN R. PEDNEKER, J.) (RAVINDRA V. GHUGE, J.)