

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.12263 OF 2022

Shri Prakash Ramesh Chauhan ... Petitioners

vs.

Smt. Chetna Jayesh Chudasama and anr ... Respondents

Mr. Varun M. Pandey h/b. Mr. Vijaykumar Dubey for the
Petitioners.

**CORAM : S.V. GANGAPURWALA AND
S. G. CHAPALGAONKAR, JJ.**

DATED : 8 DECEMBER, 2022

P.C. :-

1. We have heard learned advocate for the petitioner.
2. Learned advocate submits that the Consent Terms have been filed on record.
3. The Consent Terms have been entered between the petitioner and respondent nos.1 and 2. Under the Consent Terms, the petitioner seeks declaration as he is only legal heir of Shailesh Velji Chauhan and the property owned by Shailesh Velji Chauhan would be his property. It also appears that the Civil Suit is pending between the parties. The said civil Suit is filed by the petitioner. The petitioner may seek necessary relief in the pending civil Suit in accordance with law.
4. In the present case, it is not possible to dispose of Writ

Petition in terms of compromise / Consent Terms filed by the parties.

5. In the light of the above, as the civil Suit is already filed, we are not passing any further orders in the Writ Petition. The petitioner may take steps in the pending civil Suit or may take such proceedings as may be permissible under the law before the appropriate Forum. The parties may request the civil Court to consider a request of expeditious disposal of the Suit.

6. With these observations, the Writ Petition stands disposed of. No costs.

(S. G. CHAPALGAONKAR, J.)

(S.V. GANGAPURWALA, J.)