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

CIVIL WRIT PETITION NO. 8236 OF 2021

SHRI. SAHAJIRAO ABAJIRAO
JADHAV

....PETITIONER

V/s.

SAU. ASHA @ AASHALATA SHAHAJIRAO
JADHAV

.....RESPONDENT

Mr. Rushikesh C. Barge for the Petitioner
Mr. Venkatesh Shastry for Respondent

CORAM : NITIN W. SAMBRE, J.

DATE: FEBRUARY 17, 2022.

P.C.:

1) Court of Civil Judge Senior Division, Vaduj decreed the proceedings for restitution of conjugal rights by mutual consent and accordingly, Decree was drawn. In execution, Petitioner has come out with a case that Petitioner-Judgment Debtor has come out with a plea that Decree is already executed and as such, execution is liable to be rejected. So as to substantiate the contention that the Decree is executed, he has invited attention of this Court to the contents of his Application Exh. 20 and the response of Respondent-Decree Holder.

- 2) Mr. Venkatesh Shastri, learned counsel appearing for the Decree Holder would oppose the prayer for entertaining the writ petition and supports the impugned order.
- 3) In para 11 of the impugned order, Executing Court has specifically dealt with rival contentions and has rightly reached to a conclusion that present Petitioner-Judgment Debtor has not decreed to its letter and spirit. That being so, in my opinion, no case for interference in extraordinary jurisdiction is made out.
- 4) Writ Petition stands dismissed.

[NITIN W. SAMBRE, J.]