

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.3961 OF 2013**

**MOHAMMAD UMAR HAJI AND OTHERS
VERSUS
MOHAMMAD HANIF MOHAMMAD HUSSAIN AND ANOTHER**

...

Mr. Amit S. Savale, Advocate for the Petitioners.

Mr. M. S. Kulkarni, Advocate for Respondent No.2.

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**CORAM : SHARMILA U. DESHMUKH, J.
DATED : 13th FEBRUARY, 2023.**

PER COURT:-

1. The admitted position is that the challenge in the present petition is to the order passed under Order XXI Rule 97 of the Code of Civil Procedure, which amounts to a decree and hence, remedy is by way of an appeal.

2. Considering the above, writ petition is misconceived and is disposed of.

**(SHARMILA U. DESHMUKH)
JUDGE**