



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7439 OF 2022

Harshwardhan Suryakant Gaikwad & Ors.

...Petitioners

V/s.

Nitin Bhagwan Magar

...Respondent

Mr. R. V. Bansode for the Petitioner.

Mr. R. S. Kadam for the Respondent.

CORAM : SUNIL B. SHUKRE, AND

FIRDOSH P. POONIWALLA, J.J.

DATE : 11th OCTOBER 2023

PC.

1. Mentioned out of turn.

2. Heard. Learned Counsel for the Petitioner submits that at the time when the consent decree was passed by the Lok-Adalat, the Petitioners were minor and consent of their guardian was not obtained. In our considered view, the ground so taken by the Petitioner for assailing the consent decree of Lok-Adalat which is final, involves disputed questions of fact and therefore unless and until appropriate Civil Remedy is taken recourse to, such a Petition would not be maintainable.

3. Petition is, therefore, dismissed, as not maintainable.

(FIRDOSH P. POONIWALLA, J.)

(SUNIL B. SHUKRE, J.)