

VRJ

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

WRIT PETITION NO.2132 OF 2023

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RAMESH
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Shantaram Gangaram Patil

... Petitioner

V/s.

Alka Makrand Aswale & Ors.

... Respondents

Mr. Manoj A. Patil for the petitioner.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 28, 2023

P.C.:

1. Challenge in this petition is to the order dated 19th January 2023 rejecting the petitioner's application for dismissing the suit as not maintainable or to exclude the suit properties 1C and 1D from the array of the suit. The trial Court, by the impugned order, rejected this application.
2. Considering the reasons stated in the order, in my opinion, no error is apparent on the face of record.
3. Learned advocate for the petitioner submits that the parties are willing to settle the matter. It is always open for the parties to settle the matter even before the trial Court.
4. In view of aforesaid, no interference in the impugned order is called for. The civil writ petition is, therefore, disposed of. No costs.

(AMIT BORKAR, J.)