

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5510 of 2019

Swaranjali Netaji Jadhav and ors .. Petitioners

Versus

Netaji Balwantrao Jadhav and anr .. Respondent

...

Mr. Mahesh Rawool with A.B. Avhad for the petitioners.

Mr. Jaydeep Deo for respondent no.1.

Mr. N.B. Patil, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 18th APRIL 2023

P.C:-

1 The respective counsel representing the petitioners and respondents submit that a compromise petition was filed in the Court of Sr. Division, Civil Judge, at Bhalki (Karnataka) in terms of Order 23 Rule 3 of Code of Civil Procedure, in the wake of the compromise entered between the parties and this covered the joint family properties for which the Suit for Partition was filed and the compromise was also extended to the present Writ Petition No.5510/2019, which was pending before the High Court of Judicature at Bombay. It can be seen that the dispute existed between the plaintiffs and their mother and defendant no.4, and this revolved around the partition, maintenance, divorce proceedings which were executed in different Courts like Bhalki, Pune and Mumbai courts.

2 In the Compromise Petition signed by the plaintiffs and defendant, it is specifically recorded that the plaintiffs would withdraw the Writ Petition No.5510/2019.

3 There is no dispute about the fact that the parties acted upon the compromise petition and the Senior Civil Judge at Bhalki, disposed off the proceedings pending before it, in the wake of the compromise, and directed a decree to be drawn in terms of it. Apart from this, as per the Marriage Petition No.612/2018, pending in the Court of Joint Civil Judge, Sr. Division, Pune is concerned, the parties were referred for mediation and settlement was effected and accordingly, Marriage Petition No.612/2018 was also disposed off.

4 The present Petition being pending before this Court, also deserve a disposal in the wake of the compromise terms entered between the parties.

In the wake of this, learned counsel for the petitioner seek withdrawal of the Writ Petition which is permitted in the wake of the compromise presented before the Senior Civil Judge at Bhalki in OS No.22/2014.

Petition stand disposed off as withdrawn.

(SMT. BHARATI DANGRE, J.)