



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 14567 OF 2023

**SABAJI KACHARU KHOSE DIED THROUGH LRS SATISH
SABAJI KHOSE
VERSUS
KACHARU HARI KHOSE DIED THROUGH LRS BHIMAJI
KACHARU KHOSE AND OTHERS**

...
Mr. Mehul Vikas Navandar, Advocate for the Petitioner.

...
**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 19th JUNE, 2024.**

P.C.:-

1. An Award came to be passed on 19.02.2006 by Lok Adalat in terms of the settlement in RCS No.70/2006. Apparently, the father of the petitioner was party to the Suit and he signed the terms of compromise placed before the Lok Adalat.
2. Now the petitioner seeks to challenge the Award/Decree passed by the Lok Adalat on the ground that the father of the petitioner is given very small portion of the Suit land. Further the sister was not made party to the said proceeding. It was a case of non-joinder of the necessary parties.
3. On specific query by this Court as to any ground of fraud in obtaining the Decree is available to the petitioner, the learned Advocate appearing for the petitioner could not make out any such case, except contending that the petitioner's father was uneducated person and drunker man. Only on the basis of such statement, no inference of fraud can be drawn. Consequently, no case is made out to cause interference under Article 227 of the Constitution of India.

4. Writ Petition stands dismissed. The petitioner shall be at liberty to take up any other alternate remedy as permissible under law.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/June-2024