



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6301 OF 2024

SUMAN BAJIRAO AGALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS CHIEF SECRETARY AND
OTHERS

Mr. G. J. Pahilwan, Advocate for the petitioners
Mr. S. B. Pulkundwar, AGP for the respondent/State
Mr. W. S. Jadhav, Advocate for respondent Nos. 6 and 7.

CORAM : R. M. JOSHI, J.
DATE : 27th JUNE, 2024

PER COURT :-

1. Mr. Jadhav, learned counsel states that he has instructions to appear on behalf of respondent Nos. 6 and 7.
2. This petition takes exception to the issuance of notice by the Revenue Authorities for the purpose of execution of decree of partition.
3. Learned counsel for the petitioners submits that the petitioners though were parties to the original proceedings, are not issued with notice in the execution. Thus, it is his contention that in utter disregard of the principles of natural justice the execution proceedings are being conducted and hence, it is a fit case to stay the impugned notice.

4. Learned counsel for the respondents pointed out that there was a decree pursuant to the compromise between the plaintiffs and defendants whereby present petitioners had relinquished their right in the suit property.

5. As such, there is no substance in the challenge to the notice. Hence, petition stands dismissed.

(R. M. JOSHI, J.)

ssp