



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 WRIT PETITION NO. 14380 OF 2023

BALIRAM BABURAO GAIKWAD AND ANOTHER
VERSUS
DIPALI DIPAK KADAM AND OTHERS

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Advocate for the Petitioner : Mr. Thombre Chandrakant V.
AGP for Respondent-State : Mrs. M. L. Sangit.

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CORAM : S. G. MEHARE, J.
DATE : 01.03.2024

PER COURT :-

1. Heard the learned counsel for the petitioners.
2. The petitioners have impugned the compromise arrived at between respondent No.1 and respondent No.3. They have settled the dispute under pre litigation. The contention of the petitioners is that respondent No.3 Narhari had executed an agreement to sell with him. It has been submitted that a joint application with Narhari, has been filed before the Collector seeking leave to transfer the land, which was a land allotted to Narhari, as he was the ex-serviceman.
3. The agreement to sell does not create any right in favour of the purchaser. Narhari transfer his property to Dipali. There is no bar to transfer the property during the pendency of suit.

The impugned order is not affecting the rights of the petitioners arising out of an agreement to sell.

4. In view of the above, the Court expressed that the writ petition does not survive. Then, learned counsel for the petitioners, on instructions, seeks leave to withdraw the writ petition.

5. Leave granted as prayed.

6. Writ Petition stands dismissed as withdrawn.

(S. G. MEHARE, J.)

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vmk/-