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24-wp-13710-24

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 WRIT PETITION NO. 13710 OF 2024

KAMLABAI PURSHOTTAM KHANDELWAL
VERSUS
SHYAMSUNDAR RAMESHWAR KHANDELWAL AND OTHERS

...
Advocate for the Petitioner : Mr. Satyajit S. Bora

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CORAM : R.M. JOSHI, J.

DATE : 16.12.2024

PER COURT :

1. Heard learned counsel for the Petitioner.
2. The learned counsel for the Petitioner submits that the petitioner is mother of judgment debtor. Admittedly, the other legal heirs of deceased are brought on record in the proceeding being final decree No.1/2011. It is his further submission that in fact the executing Court in fact had passed order restraining the co-sharer of the property from selling and disposing it off. However, the application filed by the petitioner to join as party to the proceeding came to be rejected. It is his submission in the fact of the case that, the order impugned cannot sustain.

3. Having regard to the aforesaid facts and considering the peculiarity therein, issue notice to the respondents, returnable on 12.02.2025.

4. Till next date of hearing there shall be stay to the proceeding of final decree bearing R.D.No. 1/2011.

(R.M. JOSHI, J.)

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