

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6530 OF 2018

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Virgonda Anna Patil, since deceased
through LR's Bhausaheb V. Patil & Ors. ... Petitioners

V/s.

Dattu Aapaa Rajmane, since deceased
through LR's Balaso D. Rajmane & Ors. ... Respondents

Mr. Sandeep S. Koregave for the petitioners.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 2, 2024

P.C.:

1. The petitioners' objection in an execution proceedings filed for execution of partition decree on the ground that he being not party to the suit, the decree is not binding on him has been rejected by the Executing Court. Undisputedly, the petitioners are heirs and legal representatives of party to the suit and in the execution proceedings also the petitioners are added as heirs and legal representatives of a party to the suit. Hence, the objection raised by the petitioner has no merit.

2. The Executing Court rightly rejected petitioners' application. No interference in the impugned order is called for. The writ petition stands dismissed. No costs.

(AMIT BORKAR, J.)