

Ajay

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

WRIT PETITION NO. 3419 OF 2024

Ramchandra Pandurang Mhaske and Ors. .. Petitioners

Versus

~~Dadu Pandurang Mhaske~~

Deceased Through LRs

Sharada Amruit Kamble and Ors. .. Respondents

-
- Mr. Vishwajit N. Sagare, Advocate for Petitioners.
 - Mr. Nikhil Wadikar i/by Mr. Nandu Pawar, Advocate for Respondent No.2.
-

CORAM : MILIND N. JADHAV, J.

DATE : MARCH 11, 2024.

P.C.:

1. Heard Mr. Sagare, learned Advocate for Petitioners and Mr. Wadikar, learned Advocate for Respondent No.2.

2. In the present Writ Petition, it is seen that the Suit is filed in the year 2001. The impugned order before me is an order passed for seeking amendment to the partition Suit proceedings. Total Suit property as seen from the Suit plaint is 15 R. It is required to be divided / partitioned between the three brothers who are entitled to the same out of which two brothers have already expired and they are now represented by their legal heirs and successors-in-title.

3. Mr. Sagare, learned Advocate has urged the Court to persuade the Respondents to consider having a partition of the Suit property equitably so that all three branches can enjoy the fruits of the ancestral property.

4. Mr. Wadikar, learned Advocate enters appearance for Respondent No.2. Respondent No.2 is the main contesting Respondent. Mr. Sagare would submit that rest of the Respondents have all been served. However, they are not appearing before the Court today when the matter is called out.

5. In that view of the matter, Mr. Wadikar is impressed upon by this Court to consider an appropriate amicable resolution between the parties so that this Court can assist the parties in passing appropriate orders, if so required.

6. At the request of Mr. Wadikar, stand over to **26th March, 2024.**

[MILIND N. JADHAV, J.]