

MJ Jadhav

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

WRIT PETITION NO. 3673 OF 2024

Mitali Ajit Chorage	Petitioner
Vs.	
Ajit Liladhar Chorge	Respondent

Mr. Harshavardhan G. Khambete a/w Maitreyi Kale for the Petitioner.
Mr. Akshay Kamble a/w Umesh Waydande i/b Vivaka Partners for the Respondent.
Ms. Mitali Ajit Chorage- Petitioner, Present.

CORAM : GAURI GODSE, J.

DATE : 28th JUNE 2024

ORDER :

1. This petition takes an exception to order dated 24th November 2023 rejecting the petitioner's application for return of articles.
2. List of articles is annexed at page No.89 of the petition. In the list there is a dispute with regard to the items. Except the articles mentioned at serial No. 3 and 4, there is no dispute in returning rest of the articles.
3. Learned counsel for the respondent, on instructions, submits that the respondent is ready to return all the articles mentioned in the list

dated 3rd May 2023 (Page No. 89) except items at serial No. 3 and 4. He submits that he shall hand over all the articles by tomorrow. The respondent has no objection, if the petitioner collects all these articles from the residence of respondent on 29th June 2024 at 6.00 p.m. Learned counsel for the respondent submits that he has also no objection to hand over the items mentioned in the list dated 1st July 2023 (page No.111).

4. Learned counsel for the petitioner on instructions of the petitioner submits that the petitioner is agreeable to collect all the items as per both the list except the items at serial No.3 and 4 of list dated 3rd May 2023. He further submits that both issue No.5 is framed in the main matter regarding the petitioner's entitlement for return of articles. Learned counsel for the petitioner further submits that the issue on the items at serial No. 3 and 4 of the list be kept open as the issue is already framed.

5. Hence, without prejudice to the rights and contentions of the parties, except items mentioned at serial No. 3 and 4 in the list dated 3rd May 2023, the petitioner is permitted to collect all the remaining

items alongwith the items in the list of document dated 1st July 2023 (page No.111) from the residence of respondent on 29th June 2024 at 6.00 p.m.

7. It is clarified that all the rival contentions of the parties with regard to the issue No.5 are kept open.

8. In view of the aforesaid agreement between the parties, nothing further survives for consideration in the petition.

9. The Writ Petition is disposed of in aforesaid terms.

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signed by
MANGALTAI
JAYWANT
JADHAV
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[GAURI GODSE, J.]