



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1223/2022

Rajendra Vasant Mishra (Dead through L.rs.)

Vishal s/o Rajendra Mishra and others

...Versus...

Sheshrao s/o Sohan Sahare (Dead through L.rs.)

Sharda wd/o Sheshrao Sahare and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. M.P. Khajanchi, Advocate for petitioners
Mr. A.A. Dhawas, Advocate for respondent no.2
Mr. Firdos Mirza, Advocate for respondent nos.3 and 4

CORAM : BHARAT P. DESHPANDE, J.

DATE : 06/03/2024

1. After hearing Mr. Khajanchi, learned counsel for the petitioners, liberty is granted to the petitioners to approach the Trial Court with an application under Section 151 of the Code of Civil Procedure for modification of the impugned order.

2. It is needless to mention that if such application is filed, the learned Trial Court shall hear both the parties and consider the provisions of Order XIV Rule 1 and 2 of the Code of Civil Procedure and thereafter decide such application in accordance with law and on its own merit.

3. Learned counsel for the petitioners would submit that he will file such application within a period of two weeks.

4. The learned Trial Court to decide such application within a period of two months from the date of filing of the application.

5. In view of above observations, the writ petition stands disposed of. No order as to costs.

(BHARAT P. DESHPANDE, J.)

Wadkar