



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5142 OF 2019

Rashmi Ramesh Kote & others

....Petitioners

VERSUS

The Ambika Mahila Sahakari Bank Ltd

.....Respondent

Mr. U. S. Mote, Advocate holding for Mr. S. B. Kadu, Advocate for the Petitioners.

Mr. S. N. Gaikwad, Advocate holding for Mr. N. V. Gaware, Advocate for the Respondent.

CORAM : R. M. JOSHI, J.

DATE : 10th OCTOBER, 2025.

PER COURT :

1. This Court is shocked to know that the Petition of the year 2019 is pending though record indicates that the parties were referred to mediation and mediation is successful and compromise pursis is filed on record.

2. Learned counsel Mr. Mote holding for Mr. Kadu, learned counsel for Petitioners, seeks accommodation on the ground that learned counsel for the Petitioner is out of station. Learned counsel for Respondent seeks time on the ground that terms of compromise are not complied with and some amount is due.

3. Compromise is arrived at before the Mediator. There is sanctity to the settlement between the parties before the Mediator. The

parties are is bound by the said compromise unless it is contrary to the provisions of law or is obtained by force or coercion etc. It is not the case of either side that compromise is by force or coercion.

4. Learned counsel for Respondent claims that compromise terms are not complied with hence Petition be kept pending. This contention of learned counsel for Respondent sans merit for the reason that it is open for the Respondent to get the said compromise and order passed in terms of compromise executed from the competent Court. This can never become a ground for keeping the Petition pending. Hence, Petition is allowed in terms of compromise dated 17.12.2019.

(R. M. JOSHI)
Judge

dwb