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948-949-WP5942-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

948 WRIT PETITION NO. 5942 OF 2025

Shantabai Narayan Sarkale And Another

VERSUS

Anandabai Laxman Gayakwad Died Thr Lrs Kishan Laxman Gayakwad
And Others

AND

949 WRIT PETITION NO. 5943 OF 2025

Milind Nivrutti Padghan

VERSUS

Anandabai Laxman Gayakwad Died Thr Lrs Kishan Laxman Gayakwad
And Others

...

Mr. Dhananjay M. Shinde, Advocate for the PetitionerS.

CORAM : KISHORE C. SANT, J.

DATE : 7th MAY 2025

PC :-

1. The orders under challenge are the orders passed by the learned Executing Court dismissing the application Exh.108 under Section 47, 151 and under Order 21 Rule 101, 103 of the Code of Civil Procedure. This Court finds that Rule 103 of Order 21 of CPC such orders are treated as decree.

2. In view of the above, the petitioners have remedy to file appeal. Petitions are, therefore, disposed off with liberty to the petitioners to avail appropriate remedy.

3. Needless to say that, the time consumed in prosecuting the present Writ Petitions shall be excluded while calculating the limitation period.

[KISHORE C. SANT, J.]