



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10105 OF 2024

Shaikh Farukh Shaikh Jainu And And Others
VERSUS
Shaikh Salim Shaikh Jainu And Another

- Mr. C. A. Shingare, Advocate for the Petitioners
- Mr. V. B. Anjanwatikar, Advocate for the Respondent No. 1
- Mr. M. R. Khutwad, Advocate for Respondent No. 2

CORAM : R. M. JOSHI, J
DATE : SEPTEMBER 10, 2025

PER COURT :

1. After hearing learned Counsels for both sides substantially, learned Counsel for Petitioners, on instructions, makes statement that he restricts the Petition to the extent of challenge to the observations made by the Trial Court to the effect that the compromise decree binds the Petitioner though he is stranger to the suit.

2. There cannot be any two opinions with regard to the position of law that the decree would not bind on person who is not a party to the suit.

3. Learned Counsel for contesting Respondents was

not in a position to satisfy this Court to take any different view.

4. In view of this, Petition is partly allowed. The observation made by the Trial Court in order dated 31.07.2024 that the compromise decree binds on the Petitioners is hereby set aside.

(R. M. JOSHI, J.)