



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

9 WRIT PETITION NO. 10630 OF 2025

GULAM DASTAGEER GULAM AMBIYA KHAN

VERSUS

SAMINA PARVEEN W.O. DR. ZULKAR AND OTHERS

...

Advocate for the Petitioner : Ms. Ansari Asfia Nuzhat

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CORAM : ARUN R. PEDNEKER, J.

DATE : 02.09.2025

PER COURT:

1. Heard.

2. By the present petition the petitioner seeks clubbing of the matters i.e. the two proceedings for legal heirship certificate proceedings and one suit for partition and separate possession. The District Court has rejected the application as the heirship certificate does not decide the rights of the parties and only recognizes that who are the legal heirs.

3. The learned counsel for the petitioner submits that the partition suit is also ready and should be decided expeditiously as such separate and independent proceedings are not required. She submits that in the suit inter-relationships of the parties are admitted and, so also, properties in the suit are also admitted and that the properties mentioned in the suit are to be partitioned.

4. Heard and perused the order. The heirship certificate would not determine the rights of the parties qua the properties. The partition suit can proceed independently. In the event, the parties apply to the concerned court for expeditious disposal of the suit, the concerned court may consider the request on its merits.

5. The Writ Petition stands disposed of accordingly.

[ARUN R. PEDNEKER, J.]

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