



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

WRIT PETITION NO.3740 OF 2024

Smt. Kunda Suresh Lahariya and Another

Vs.

Lalchand Balaram Lahariya (Expired) and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A.R. Deshpande, Advocate for the Petitioners.

Mr. A.G. Mate, AGP for the Respondent/State.

Mr. S.B. Gandhe, Advocate for Respondent No.6.

CORAM: SIDDHESHWAR S. THOMBRE, J.

DATED : 14th OCTOBER, 2025

1. Heard Mr. A.R. Deshpande, learned counsel for the petitioner and Mr. A.G. Mate, learned AGP for the respondent/State and Mr.S.B. Gandhe, learned counsel for respondent No.6.

2. The petitioner is aggrieved by the order below Exh.88 dated 22.03.2024 passed by the learned 7th Joint Civil Judge Senior Division, Akola, in RCS No.944/2012, whereby the application filed by the petitioner i.e. the original defendant Nos.3 and 4 was rejected on the ground that the same amount to an unlawful compromise.

3. Learned trial Court rejected the application on the ground that the petitioner has already filed RCS No.267/2023, in respect of the suit property. The learned trial Court has observed that as far as the compromise pursis at Exh.82, is only seen and filed and

no order was passed in that regard. It is settled law that the compromise between parties cannot be binding on the parties who are not party to the said compromise. Learned counsel for both the parties stated that the suit pertains to the year 2012, therefore, the learned trial Court to decide the suit within a period of one year from today.

4. Considering the above, I do not find any reason to interfere with the order passed by the learned Trial Court. In view thereof, the present writ petition is **dismissed**. No order as to costs.

(SIDDHESHWAR S. THOMBRE J.)

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