



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

38 WRIT PETITION NO. 7820 OF 2018

ABBAS SUBHEDAR SHAKH AND OTHERS

VERSUS

PARSHURAM VITHOBA UBHEDAL DIED LRS DIGAMBAR PARSHURAM
UBHEDAL AND OTHERS

...

Mr. A. A. Joshi h/f. Mr. Sharad V. Natu, Advocate for the Petitioners.
Mr. D. A. Mane h/f. Mr. Pankaj A. Bharat, Advocate for Respondent
No.1/1.

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WITH
CIVIL APPLICATION NO. 2855 OF 2026
IN WP/7820/2018

ATIF ABBAS SHAIKH AND OTHERS

VERSUS

PARSHURAM VITHOBA UBHEDAL DIED LRS DIGAMBAR PARSHURAM
UBHEDAL AND OTHERS

...

Mr. A. A. Joshi h/f. Mr. Sharad V. Natu, Advocate for the Applicants.
Mr. D. A. Mane h/f. Mr. Pankaj A. Bharat, Advocate for Respondent
No.1/1.

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 12th MARCH 2026

PC.:-

1. After arguing for some time, Mr. A. A. Joshi, holding for Mr. Sharad V. Natu, learned Advocate for the Petitioner, submits that during the pendency of the present petition, the Petitioner has filed an additional application below Exhibit-220 before the Executing Court. He, therefore, submits that the present petition may be disposed of

with a direction to the Executing Court to decide the said application.

2. In view thereof, the present petition is disposed of.

3. The Executing Court shall decide the application below Exhibit-220 on its own merits and in accordance with law. The Executing Court is directed to decide the said application within a period of three months from today.

4. At this stage, Mr. D. A. Mane, holding for Mr. Pankaj A. Bharat, learned Advocate for Respondent No.1/1, points out that this Court had earlier directed the Executing Court to decide the Execution Darkhast within a period of six months by an order passed in the year 2015. However, the proceedings are still pending though no interim order has been operating. Considering the said aspect, by way of last indulgence, further time of six months is granted to the Executing Court to decide Regular Darkhast No.40/1986, including the application below Exhibit-220.

CIVIL APPLICATION NO.2855 OF 2026:-

5. By the present application, the Applicant seeks permission to bring the legal heirs of Respondent No.3 on record and also seeks condonation of delay of 1067 days. Permission is granted.

6. The application is allowed in terms of prayer clause (A).

7. The Petitioner shall carry out the necessary amendment within a period of one week from today.

(SIDDHESHWAR S. THOMBRE, J.)