



Received on : 29-04-2016

Registered on : 29-04-2016

Decided on : 08-05-2026

Duration : 10Y 00M 09D

**Exh 55**

**IN THE DISTRICT COURT SINDHUDURG  
AT: OROS**

**TAL. : KUDAL, DIST. : SINDHUDURG**

(Presided over by Dr Sudhiir M Deshpande, Principal  
District Judge, Sindhudurg)

**REGULAR CIVIL APPEAL NO. 86 OF 2016  
(CNR MHSIo10003362016)**

1. Vijay Ramchandra Watve  
Deceased through L.R.
  - 1A Vaishali Vijay Watve  
Age: 56 yrs., Occu.: Housewife
  - 1B Madhusudan Vijay Watve  
Age: 39 yrs., Occu.: Service
  - 1C Mangesh Vijay Watve  
Age: 35 yrs., Occu.: Business
  - 1D Namrata Vijay Watve  
Age: 31 yrs. Occu.: Dance Class  
All R/o D-264,  
New Subniswada  
Sawantwadi, Dist. Sindhudurg
2. Sudheer Savlaram Paradkar  
Age: 53 yrs., Occu.: Rickshaw  
Driver  
R/o Khaskilwada, Sawantwadi
3. Mangala Atmaram Kale  
Age: 54 yrs., Occu.: Housewife  
R/o Gujarali, Rajapur Tal. Rajapur

Appellants  
(Original Defendants No. 1  
to 4)

4. Lata Ramchandra Kajerakar  
Age: 49 yrs., Occu.: Housewife  
R/o Amberi Tal. Kudal

**Versus**

1. Savatri Shivram Shiwalkar  
Deceased through L.R.  
Respondents No. 2 and 3

2. Zhilu Shivram Shiwalkar  
Age: 38 yrs., Occu.: Service

Respondents No. 1  
to 3  
(Ori. Plaintiffs No. 1 to 3)

3. Chiya @ Parvati Mangesh  
Vengurlekar  
Age: 40 yrs., Occu.: Housewife  
R/o Bavbamboli, Tal. Kudal

4. Parvati Shivram Shiwalkar  
Age: 73 yrs., Occu.: Agri.

Respondents No. 4  
and 5  
(Ori. Defendants No. 6 and  
5)

5. Narayan Budhaji Akerkar  
Age: 88 yrs., Occu.: Agri.  
Respondents No. 2, 4 and 5 R/o  
Kariwade  
Padviewadi, Swantwadi

**Appearance:**

Mr K D Nevgi, Ld advocate for the appellants  
Mr A S Pandurkar, Ld advocate for the respondent No. 2  
Respondents No. 3 and 4: *ex parte*  
Respondent No. 5: Dismissed

**J U D G M E N T**

(Declared on: 8<sup>th</sup> day of May, 2026)

This appeal is directed against the Judgment  
and Decree dated 14.03.2016 passed by the learned Joint  
Civil Judge (Jr. Div.), Sawantwadi in Regular Civil Suit No.

41 of 2003, whereby the suit filed by the plaintiff for permanent injunction came to be allowed.

2] For perceptual convenience, the parties are referred to by their original positions and nomenclature as in the suit before the trial court.

3] The properties are as follows.

The properties are situated at village Karivade, Tal. Sawantwadi, District Sindhudurg.

| <b>Sr. No.</b> | <b>Survey No.</b> | <b>Hissa No.</b> | <b>Admeasuring (Hector Are)</b> |
|----------------|-------------------|------------------|---------------------------------|
| 1              | 186               | 1                | 0-56-6<br>P. Kh. 0-12-2         |
| 2              | 189               | 10               | 1-14-0<br>P. Kh. 0-50-2         |

4] The facts leading to the present appeal are as follows. The suit brought by the plaintiff is based on possession. It is the case of the plaintiff that the suit properties were possessed by the plaintiff's grandfather Babli Shivram Shiwalkar vide mutation entry No. 1120 dated 26.10.1959. The plaintiffs and their predecessors have been taking rice crops in the suit properties. Recently (the suit was brought in April 2003) the defendants obstructed the possession of the plaintiffs. Therefore, the plaintiffs obtained some revenue documents in which the plaintiffs become aware that the name of Babli Shivram Shiwalkar was removed and this was reflected in Mutation

Entry No. 1789. It was further revealed that in the Tenancy Case No. 512/1965 under section 32G, a statement of Babli was obtained fraudulently. His name was removed from the Property No. 1. Thereafter, Babli filed Tenancy Appeal No. 84/02 which was dismissed. The defendants have filed order dated 26.09.2018 under document list Exh 48 in this appeal. The order passed by the Hon'ble Maharashtra Revenue Tribunal (MRT) in TNC/REV/106/2008 by which the tenancy revision came to be dismissed because of delay of about 42 years.

5] On 04.02.2003, the plaintiff sent a legal notice to the defendants. Allegedly, the defendants replied the notice by mischievous reply dated 18.02.2003. Hence, the suit came to be filed on 19.04.2003 for simpliciter injunction. There was alternate prayer for restoration of possession.

6] The defendants No. 1 to 4 filed written statement Exh 31. The defendants denied the contentions in the plaint. They raised contention that Parvati is the legitimate wife of Shivram Babli Shiwalkar who illegally, without obtaining divorce from the first wife married Savitri. As per hindu law, Savitri has no right or title in the suit property and that her name appearing due to Mutation Entry No. 5799 dated 02.11.1992 on the 7/12 extract is illegal. It is contended that the name of Babli was entered on the record of rights for both the properties. It is allege that on 21.05.1966, Babli gave statement that

his name should be removed as a tenant based on which the Mutation Entry No. 1789 was effected. Babli's name was removed from the record of rights. It is contended that the revenue decisions went against the plaintiff. It is contended that on 05.05.2002, the plaintiff gave a statement in the Sawantwadi Police Station that he had no connection with the suit property. It is allege that there has been subdivision of the suit property No. 2. The defendants contended that there was no cause of action. Hence, the suit is liable to be dismissed.

7] Based on the rival pleadings, the trial court framed following issues and gave findings (verbatim).

| अ.क्र. | मुद्दे                                                                                                                           | निष्कर्ष                          |
|--------|----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| (०१)   | वादी सिध्द करतात का की, दावा ....<br>मिळकतीत त्यांचा कब्जाभोग्य आहे?                                                             | होय.                              |
| (०२)   | वादी सिध्द करतात का की, दावा ....<br>मिळकतीतील त्यांचे कब्जावहीवाटीस<br>वादी यांनी हरकत केली?                                    | होय.                              |
| (०३)   | प्रतिवादी सिध्द करतात का की, वादी ....<br>क्र. ०१ हिला सदर दावा दाखल<br>करण्याचा कोणताही कायदेशीर<br>अधिकार (Locus Standi) नाही? | लागु नाही.                        |
| (०४)   | वादींनी मागणी केलेल्या दादी मिळणेस ....<br>वादी पात्र आहेत काय?                                                                  | होय.                              |
| (०५)   | प्रतिवादींनी नुकसान भरपाईची रक्कम ....<br>मिळणेस पात्र आहेत काय?                                                                 | नाही.                             |
| (०६)   | काय आदेश व हुक्मनामा ? ....                                                                                                      | दावा खर्चासह मंजूर<br>करणेत येतो. |

8] The Trial Court held that the plaintiff was in possession of the suit property and that the defendants have obstructed that possession. The Trial Court decreed the suit with costs. The defendants No. 1 to 6 were prohibited from disturbing plaintiffs possession in the suit properties.

9] Hence, aggrieved by the judgment and decree dated 14.03.2016, this appeal was filed by the original defendants No. 1 to 4.

10] Heard.

11] Mr Nevgi, appearing for the appellants/defendants in RCA No. 86/2016, argued through written argument Exh 46 that the trial court wrongly granted permanent injunction in favour of the plaintiffs despite their failure to prove lawful possession or tenancy rights over the suit property. He contended that the plaintiffs had not produced any reliable documentary evidence such as rent receipts or tenancy records to establish that they or their predecessors were lawful cultivating tenants ("ಕ್ರಷ"), nor had they obtained any declaration of tenancy rights from the competent tenancy authority. He further relied upon the defendants' oral and documentary evidence, including Exhibit 130, to show that the plaintiffs were government servants and not actual cultivators of the land. Adv. Nevgi also challenged the

locus standi of plaintiff no.1 Savitri Shivalkar by arguing that she was allegedly the second wife of Shivram Shivalkar while the first wife Parvati was still alive and undivorced, thereby depriving her of any legal right to maintain the suit. He emphasized that Babli Shivram's name had already been deleted from the revenue records in 1965 and that the defendants had remained in possession since then without objection, making the suit doubtful and barred by limitation. He also pointed out that the plaintiffs' MRT Revision No.106/2008 had already been dismissed, which weakened their tenancy claim. On these grounds, he submitted that the findings of the trial court on possession and obstruction were erroneous and prayed that the impugned judgment and decree be set aside and the suit be dismissed with costs.

12] Mr Pandurkar, learned advocate for the respondents/original plaintiffs, submitted that the trial Court had rightly decreed the suit. He contended that the suit was essentially one for simpliciter injunction, with an alternative prayer for restoration of possession. He invited attention to Exhibit 137, namely Mutation Entry No. 1120 dated 26.10.1959, pertaining to old Survey No. 303/10, corresponding to new Survey No. 189/10, i.e., suit Property No. 2. The said mutation entry records the name of Babli Shivram Shivalkar as a tenant. He argued that if a tenant is unable to comply with the provisions of Section 32G of the Bombay Tenancy and Agricultural Lands Act, then Section 29 of the BTAL Act becomes applicable.

13] According to Mr Panadurkar, the removal of Babli's name from the record of rights was unlawful. Babli had filed Tenancy Appeal No. 84/2002, which came to be dismissed for default, and thereafter preferred a revision before the Maharashtra Revenue Tribunal, which was dismissed on 26.09.2018 on the ground of delay of 42 years, i.e., after the trial Court's judgment. Hence, though Babli's name no longer appears in the revenue record of Property No. 1, his name continues to appear in the record of rights pertaining to Property No. 2.

14] Mr Panadurkar further submits that the plaintiffs examined four witnesses whose lands are adjacent to the suit properties. Despite the removal of Babli's name by Mutation Entry No. 1789 dated 19.12.1965, Babli's possession over Property No. 1 continued uninterrupted. PW-2 Shankar was not cross-examined at all. The cross-examination of Defendant No. 1 contains several admissions showing that he never resided in or near the suit property. Defendant No. 1 also admitted that he was not an agriculturist, whereas the plaintiffs were agriculturists. He admitted that the plaintiff's grandfather's name had been entered as tenant in respect of both suit properties on 26.10.1959 vide Mutation Entry No. 1120. He further admitted that even his father was not an agriculturist, and that he could not provide the local name, area, or particulars of the suit properties. He also admitted that the statement allegedly made by Babli

requesting deletion of his name from Property No. 1 was never produced. Defendant No. 1 further admitted that the plaintiffs were cultivating crops on Property No. 1 and that, as reflected in the panchnama dated 19.02.2003, the paddy crop standing on Property No. 2 had not been cultivated by him. He also admitted that all four plaintiff witnesses were neighbouring agriculturists, whereas he had no witness to establish that he himself was an agriculturist. As regards DW-2, i.e., Defendant No. 2, though in his affidavit he described himself as an agriculturist and rickshaw driver, in cross-examination he admitted that he owned no agricultural land and that he was engaged in land transactions.

15] Mr Panadurkar submits DW-3 was a got-up witness running an optical shop, whose evidence that he had seen the defendants carrying on agricultural activities through servants was wholly unreliable, particularly as he did not even know who the plaintiff in the suit was. Mr Pandurkar therefore submitted that till date the defendants had not taken recourse to Section 29 of the BTAL Act, and hence the trial Court had rightly decreed the suit. He accordingly prayed that the appeal be dismissed with costs.

16] After hearing the learned advocates on both sides and perusing the record of proceedings, including the evidence and the trial court's judgment, as well as

examining the contents of the appeal memo and the authorities cited by the parties, the following key points emerge for consideration. My findings on each of these points, along with the detailed reasons, are set out in the subsequent part of this judgment.

| <b>Sr.<br/>No.</b> | <b>Points</b>                                                                                                                                     | <b>Findings</b>                     |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 1.                 | Whether the plaintiffs prove that they were in possession of the suit properties on the date of filing of the suit?                               | Yes                                 |
| 2.                 | Whether the plaintiffs prove that their possession obstructed by the defendants?                                                                  | Yes                                 |
| 3.                 | Whether the defendants proves that the grandfather of the plaintiffs Babli had entered his name in the revenue record of the rights fraudulently? | No                                  |
| 4.                 | Whether the plaintiffs are entitled to relief sought for?                                                                                         | Yes                                 |
| 5.                 | Whether any interference is needed in the Trial Court's judgment and decree?                                                                      | No                                  |
| 6.                 | What Order?                                                                                                                                       | Appeal stands dismissed with costs. |

## **REASONS**

### **As to Point No. 1**

**Whether the plaintiffs prove that they were in possession of the suit properties on the date of filing of the suit?**

17] Exhibit 137, i.e., Mutation Entry No. 1120 dated 26.10.1959, shows that the name of Babli Shivram Shiwalkar was recorded in respect of old Survey Nos. 300/1 and 303/10, corresponding to new Survey Nos. 186/1 and 189/10 respectively, as a tenant. Mutation Entry No. 1789 dated 21.05.1966 (Exh 33/5) reflects that Babli's name was deleted from both the suit properties. The said mutation entry was certified on 21.01.1969 and was effected on the basis of a statement allegedly made by Babli himself. The 7/12 extract of 2002-03 of the property No. 2 is showing the name of Parvati Shivram Shiwalkar. This much is the documentary evidence filed by the plaintiffs.

18] On the aspect of possession, the cross-examination of DW-1 Vijay Ramchandra Watve, Defendant No. 1, assumes significance. In his cross-examination, he admitted that throughout his life he had been engaged in service. He further admitted that the plaintiff was an agriculturist and that by Mutation Entry No. 1120 dated 26.10.1959, the name of Babli Shivram Shiwalkar had been entered as a tenant in respect of the suit properties. He also admitted that his own father was not an agriculturist. Defendant No. 1 further admitted that he had not initiated any proceedings under Section 70(b) for deletion of the plaintiffs' names from the 7/12 extract pertaining to Property No. 2, i.e., Survey No. 189/10. Though he contended that Babli Shiwalkar had given a statement requesting removal of his name from the record of rights,

he admitted that he had not produced any such document on record. He further admitted that the suit properties were governed by the provisions of the BTAL Act and that in the year 1959 Babli was shown as a tenant, pursuant to which his name came to be entered in the record of rights. He also admitted that the plaintiffs were cultivating paddy in the suit properties and that he himself had not cultivated the rice crop, nor did he know who had cultivated it. Although he alleged that the plaintiffs had given a written statement at the police station on 05.05.2002 disclaiming any right in the suit properties, he admitted that no such statement had been produced. He further admitted that the plaintiffs' witnesses, namely Vitthal Parab, Shankar Pokle and Tanaji Malkar, were agriculturists from village Karivade, and that he had no witness on his behalf to establish that he himself was an agriculturist.

19] From these admissions, it clearly emerges that Defendant No. 1 was not the actual cultivator of the suit properties. More importantly, in his cross-examination he admitted that he was unable to state the exact location of Property No. 1, i.e., Survey No. 186/1. It is difficult to believe that a person claiming to be in cultivation and possession of agricultural land would be unaware of the precise location and survey number of the property allegedly cultivated by him.

20] On the other hand, the plaintiff examined PW-2 Shankar Rama Pokle, PW-3 Vitthal Ladu Parab, and PW-4 Tanaji Malkar. It is pertinent to note that PW-2 Shankar Rama Pokle was not cross-examined, as on the relevant date, i.e., 22.11.2010, though the witness was present before the Court, neither the defendant nor his advocate remained present. Consequently, the examination-in-chief of PW-2 remained unchallenged. The substance of the evidence of these three witnesses is that they are adjoining landholders whose lands are situated adjacent to the suit properties, and they consistently deposed that they had personally seen the plaintiff cultivating the suit lands. The defendant has not disputed that these witnesses own lands adjoining the suit properties. In view of the admissions elicited from the defendant in cross-examination, coupled with the evidence of these independent neighbouring agriculturists, it can safely be inferred on the touchstone of preponderance of probabilities that the plaintiff was in possession of both the suit properties.

21] This presumption is further strengthened by the wholly unreliable evidence of DW-3 Madhukar Rane. In an apparent attempt to establish his possession over the suit properties, Defendant No. 1 examined DW-3 Madhukar Rane as his witness. Admittedly, Madhukar Rane runs a spectacle shop under the name "Subhash Optician." In his examination-in-chief, he deposed that both the survey properties were in the possession of the defendants and that the plaintiff had no connection

whatsoever with the suit properties. He further stated that Defendant No. 1 had authorized DW-2 Sudheer Paradkar to manage the suit lands on his behalf.

22] However, the falsity and unreliability of this witness were completely exposed during his cross-examination. He admitted that he did not even know who the plaintiff in the present matter was and stated that he only knew that one of the parties was “Watve,” without knowing anything about the opposite side. He further admitted that his land was not adjacent to the suit properties and, in fact, that he owned no land whatsoever in village Karivade where the suit properties are situated. In one breath, he stated that the defendants had shown him the survey numbers of the suit lands, while in the very next breath he admitted that he could not explain how he came to know or identify the suit properties. He candidly admitted that his affidavit evidence had been prepared by the advocate’s clerk and that he signed the affidavit merely because he was asked to do so. He further admitted that he was unable to state the four boundaries of the suit properties. He initially stated that Defendant No. 1 was employed in ITI and was not an agriculturist. Thereafter, contradicting himself, he stated that the defendants had also been carrying on agricultural activities for the past 20 years. It appears that in the course of his deposition, the witness lost sight of the version he was expected to support on behalf of Defendant No. 1. What is even more significant is the complete absence of any credible basis for

his alleged knowledge regarding the defendants' possession of the suit properties. The witness merely stated that whenever he travelled along the Sawantwadi–Belgaon road, he used to see the suit lands. Even assuming this assertion to be true, he nowhere stated that he had actually seen the defendants cultivating, managing, or carrying out any agricultural activity on the suit properties, nor did he depose that he had seen DW-2 Sudheer Paradkar doing so on behalf of the defendants.

23] So far as the alleged authority letter in favour of DW-2, referred to by DW-3 in his examination-in-chief, is concerned, the witness made a complete volte-face during cross-examination and stated that he had no knowledge whatsoever about any such authority letter. He further admitted that he had not stated in his affidavit evidence that the suit properties had no connection with the plaintiffs. He also admitted that, while preparing his affidavit, he had not stated that the plaintiffs were interfering with or disturbing the defendants' possession. Although he denied the suggestion that he had been projected as a witness merely because Defendant No. 1 could not secure any genuine witness in support of his case, the strained effort made by Defendant No. 1 to establish possession through such contradictory and unreliable testimony strongly indicates that DW-3 was a got-up witness.

24] The cumulative effect of the documentary evidence and the analysis of the oral evidence clearly establishes that the plaintiffs succeeded in proving their settled possession over the suit properties, notwithstanding the fact that the revenue proceedings had gone against them. Significantly, neither of the revenue proceedings was decided on merits. The proceedings before the Sub-Divisional Officer came to be dismissed for default, whereas the proceedings before the Maharashtra Revenue Tribunal were dismissed solely on account of delay of 42 years. The undisputed factual position, however, remains that the plaintiffs continued in possession throughout. Mr. Pandurkar therefore rightly contended that, till date, the defendants have not taken recourse to the provisions of Section 29 of the Bombay Tenancy and Agricultural Lands Act for recovery of possession. Hence, I answer Point No. 1 in the affirmative.

**As to Point No. 2**

**Whether the plaintiffs prove that their possession obstructed by the defendants?**

25] In their Written Statement (Exhibit 31), Defendant Nos. 1 to 4 specifically pleaded that Savitri was the second wife of Shivram and that there had been no divorce from the first wife, Parvati. On that basis, it was contended that Savitri would not be entitled to any share in the suit properties. By raising such a plea, the defendants were clearly disputing and challenging the title

and entitlement of the plaintiffs. The defendants further pleaded that the name of Babli Shivram Shiwalkar had been wrongly entered in the record of rights and that the said entry was subsequently deleted by Mutation Entry No. 1789. It was also alleged that the plaintiffs were interfering with and disturbing the possession of the defendants. Such pleadings unmistakably show that the defendants were asserting their own right, title, and interest in the suit properties. Applying the principle of preponderance of probabilities, there was every likelihood that the defendants would not recognize or respect the plaintiffs' possession as lawful possession. These pleadings clearly reflect the hostile animus and adverse claim set up by the defendants against the plaintiffs.

26] In his examination-in-chief, the plaintiff deposed that the defendants had obstructed and interfered with his possession, pursuant to which he issued a notice dated 04.02.2003 to the defendants. According to the plaintiff, the defendants sent a mischievous and evasive reply to the said notice. During his cross-examination, a suggestion was put to the plaintiff that Defendant No. 1 was in possession of the suit properties, which suggestion was categorically denied by the plaintiff. Nevertheless, the very nature of such suggestion indicates that the defendants were asserting possession over the suit properties. At the same time, nothing substantial was elicited in the plaintiff's cross-examination so as to

discredit or shake his claim regarding possession of the suit properties.

27] Accordingly, upon appreciation of the documentary and oral evidence available on record, it becomes evident that the defendants were consistently asserting their own claim of title and possession over the suit properties. Such assertive and adverse conduct on the part of the defendants is, by itself, sufficient to infer that they were interfering with and obstructing the plaintiffs' settled possession of the suit properties. Hence, I answer Point No. 2 in the affirmative.

### **As to Point No. 3**

**Whether the defendants proves that the grandfather of the plaintiffs Babli had entered his name in the revenue record of the rights fraudulently?**

28] Mutation Entry No. 1120 dated 26.10.1959 assumes considerable importance, as it records the name of Babli Shivram Shiwalkar in the record of rights as a tenant. The defence case is that, by virtue of Mutation Entry No. 1789, Babli's name came to be deleted from the revenue record on the basis of a statement allegedly made by him. However, the defendants have failed to place such statement on record. In the absence of the very document forming the basis of deletion, the removal of Babli's name from the revenue record becomes highly doubtful and suspicious. Except for making bald allegations, the

defendants have not produced any cogent or convincing evidence to establish that Babli's name was wrongly or fraudulently entered in the record of rights pursuant to Mutation Entry No. 1120. Mere assertions in pleadings cannot take the place of proof in a civil proceeding unless supported by reliable evidence. Significantly, there is no material in the defence evidence to show that Babli had secured entry of his name in the revenue record by practising fraud or misrepresentation. Therefore, it must be concluded that the defendants have failed to substantiate their contention that the plaintiff's grandfather, Babli Shivram Shiwalkar, had fraudulently obtained entry of his name in the revenue records. Hence, I answer Point No. 3 in the negative.

**As to Point No. 4**

**Whether the plaintiffs are entitled to relief sought for?**

29] The plaintiff has proved the possession as well as the plaintiff has proved the obstruction. Hence, the plaintiff is entitled to the relief sought for. Hence, I answer point No. 4 in the affirmative.

**As to Point No. 5**

**Whether any interference is needed in the Trial Court's judgment and decree?**

30] The Trial Court has correctly framed the issues arising for determination in the suit and has answered the

same upon proper appreciation of the oral and documentary evidence available on record. The finding recorded by the Trial Court that the plaintiffs were in possession of the suit properties and that the defendants were interfering with and obstructing such possession is well-founded and supported by the evidence on record. Accordingly, I do not find any valid ground warranting interference with the judgment and decree passed by the Trial Court. Hence, I answer point No. 5 in the negative.

### **As to Point No. 6**

#### **What order?**

31] A cumulative consideration of the above findings leads to the conclusion that the appeal has no merit. It deserves to be dismissed with costs.

### **O R D E R**

1. The Appeal stands dismissed with costs.
2. The Judgment and Decree dated 14.03.2016 passed by the learned Joint Civil Judge, Junior Division, Sawantwadi in Regular Civil Suit No. 41 of 2003 are hereby confirmed.
3. The appellants/defendants are restrained from interfering with or obstructing the peaceful possession and enjoyment of the respondents/plaintiffs over the suit properties, in terms of the decree passed by the Trial Court.
4. Pending applications, if any, stand disposed of.

5. Decree be drawn accordingly.
6. Appeal stands disposed of.

Sd/-  
(Dr Sudhiir M Deshpande)  
Principal District Judge  
Sindhudurg at Oros

All concerned to act upon digitally signed uploaded copy of this order, the printout of which can be verified from the official website of this court. In this regard attention of all concerned is invited to the authority of the Hon'ble High Court of Bombay (Bench at Aurangabad) **Shital Krushna Dhake v. Krushna Dhake**, MANU/MH0285/2018.