



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

WRIT PETITION NO. 4420 OF 2026

Dilip Shrawan Patil And Ors

VERSUS

Vasudeo Dashtrath Patil Died Trough His Lrs Dinesh Vasudeo Patil And Ors

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Mr. V. P. Patil, Advocate for the Petitioners

CORAM : S. G. CHAPALGAONKAR, J

DATE : APRIL 22, 2026

PC:

1. Mr. Patil, learned Advocate appearing for Petitioners, submits that on 25.08.1989 decree has been passed in RCS No. 92/1979 by Civil Judge, Junior Division, Shahada in a suit for possession and injunction. The Civil Appeal No. 283/1990 against such decree has been dismissed on 28.03.1994 by Additional District Judge, Nandurbar. Second Appeal No. 224/1996 filed by original Defendant has been withdrawn. As such, decree has attained finality. As per decree, Trial Court was directed to distribute amount deposited by Court Receiver in equal sharers to Plaintiffs and Defendant No. 1. The Regular Darkhast No. 31/1994 is pending before Civil Judge, Junior Division, Shahada. Mr. Patil submits that Court Receiver had deposited amount in Court during period from 1979 to 2002. However, record in respect of such deposits is not traceable. A communication in this regard is made to Principal District Judge, Nandurbar, however, no steps are taken to find out record and release of amount in favour of parties in terms of decree.

2. In light of aforesaid submissions, learned Registrar (Judicial) of this

Court shall call comprehensive report from Principal District Judge, Nandurbar as well as Executing Court i.e. Civil Judge, Junior Division, Shahada, District Nandurbar regarding claim raised by Petitioners.

3. The report be submitted within a period of two weeks from today.
4. Stand over to 07.05.2026.

(S. G. CHAPALGAONKAR, J.)

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