

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

**WRIT PETITION NO. 3376 OF 1994**

Shahadibegum Mohd. Yousuf Ali Khan  
Died, through legal representative  
Amanulla Khan Mohd. Yousuf Ali Khan

.. Petitioner

Versus

Somnath Sambhaji Pastapure  
Died Through L.Rs.  
Devidas Somnath Pastapure and others

.. Respondents

Mr. A. R. Syed, Advocate for the Petitioner Nos. 1 (a), 1 (b) & 1 (c).  
Mr. B. A. Darak, Advocate for Respondent Nos. 1-A-1 to 1-A-4.  
Mr. A. N. Irpatgire, Advocate for Respondent No. 1G.  
Mr. Rajendra Deshmukh, Senior Advocate i/by Mr. Devang Deshmukh,  
Advocate for Respondent Nos. 2A to 2G.

**WITH CA/3871/2023 IN WP/5008/2002 WITH WP/3785/2002 WITH  
WP/5008/2002 WITH WP/8016/2005 WITH CA/13277/2022 IN WP/  
3376/1994 WITH CA/13012/2018 IN WP/8016/2005**

**CORAM : KISHORE C. SANT, J.**

**DATED : 19<sup>th</sup> AUGUST, 2023.**

**P C. :-**

. After hearing for some time, it is found that out of five branches of the landlord three branches are ready to compromise the matter. As a matter of fact, even they have prepared the terms which are annexed to Civil Application No. 3871/2023 to which the tenant i.e. respondent No. 1 in all the petitions is also ready to compromise. However, there is question of two branches which are not now ready for compromise. The concern of respondent No. 1 is that, only three branches are ready

for compromise and the compromise in respect of by all the parties from the landlord side is necessary.

2. This Court finds that, since three branches have shown willingness to settle the matter out of the Court, it would be desirable to send the parties for mediation.

3. Learned senior advocate Mr. Deshmukh conveys to the Court that, even he would persuade to his client to go for settlement out of the Court through mediation process.

4. Learned advocate Mr. Darak for respondent No. 1 submits that, various attempts were made to compromise the matter, but it is not yet been finalized and he prays for placing the matters for final disposal.

5. Considering the above situation this Court finds that, it would be desirable to give last chance to the parties to try to settle the matter out of the Court. Therefore, the parties are referred to mediation.

6. Mr. R. J. Godbole, learned advocate is appointed as mediator. The parties shall appear before the mediator on 29.08.2023. The mediator to submit the report within a period of six (06) weeks.

7. If no settlement is arrived at by that time, place the writ petitions under the caption of **final hearing** on board dated 03.10.2023.

( KISHORE C. SANT, J. )

P.S.B.