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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.474 OF 2015

Kondiram Sakharam Gaikwad

PETITIONER

VERSUS

Pandurang Sakharam Gaikwad & others

RESPONDENTS

.....
Mr. S. V. Adwant, Advocate for the petitioner

Mr. V.J.Dixit, Sr. Advocate i/b Mr. R.V.Gore Adv, for R-1 to R-6

.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 20th MARCH, 2015

ORDER :

1. Mr. Adwant, learned advocate, on instructions seeks deletion of respondents No. 7 to 10. Deletion allowed at the risk and peril of the petitioner.

2. Heard learned advocates for the parties.

3. Mr. V. J. Dixit, learned senior advocate appearing for respondents No.1 to 6, instructed by advocate on record Mr. Gore, states that his clients have instructed him to state that they would not alienate, transfer or deal with the suit property save and except for the purpose of obtaining agriculture loan. The statement is taken as undertaking to this Court. It is made

clear that such an encumbrance shall not affect the rights of the plaintiff over suit property and in case the suit is decreed, shall be considered over property which may fall to share of respondents on adjudication of rights of parties.

4. In view of aforesaid, nothing further survives for consideration in the matter. Writ petition as such, stands disposed of.

5. It would, however, be open for the parties to approach appropriate court by making proper application if need arises.

[SUNIL P. DESHMUKH, J.]