

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

WRIT PETITION NO. 5291 OF 2015

Shriniwas s/o Shrikisan Baheti

... Petitioner

Versus

Srikisan s/o Hiralal Baheti and others

... Respondents

Mr. Santosh V. Munde, , Advocate for petitioner

Mr. Prasad B. Kadam, Advocate holding for

Mr. S. J. Salunke, Advocate for respondents no. 1 & 2

Mr. P. B. Shirsath, Advocate for respondent no. 3

CORAM : SUNIL P. DESHMUKH, J.
17TH JULY, 2015

ORDER:

1. The petition has been moved under the circumstances which have been referred to in the order dated 08-05-2015.
2. Learned counsel Mr. Shirsath appearing for respondent no. 3 has advanced various contentions, primarily on merits of the case, yet he is not in a position to steer clear off the position that the status-quo order has been vacated without hearing the petitioner.
3. In view of the same, I deem it appropriate and it would be in the interest of all concerned, without dealing with matter on merits, if the appellate court decides Exhibit-19 after hearing the petitioners and the concerned parties. As such Impugned order dated 27-4-2015 vacating the status-quo order is set aside. The Exhibit-19 stands restored.

4. Under the circumstances, writ petition stands disposed of without reflection on merits of the contentions on either side, with directions to appellate court to consider and decide application Exhibit-19 within a period of four weeks from the date of receipt of writ of this order.

SUNIL P. DESHMUKH, J.

pnd