

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

CIVIL APPLICATION NO.8517 OF 2013 IN
SECOND APPEAL NO.446 OF 2013

Pravin s/o Prabhakar Rao Joshi
and ors.

..Applicants

Versus

Laxmikant s/o Narayan Rao Cherekar
and ors.

..Respondents

Mr A.N.Nagargoje, Advocate for applicants
Mr P.G.Godhamgaonkar, Advocate for respondent no.1

CORAM : N.W. SAMBRE, J.

DATE : 30th January 2015

PER COURT

1. This application is moved in the second appeal seeking stay to the execution and implementation of the judgment and decree dated 20th October 2011 passed by Civil Judge, Senior Division, Ahmedpur, District Latur in Special Civil Suit No.3/2006 and confirmed by learned District Judge-1, Ahmedpur, District Latur on 30th March 2003 in Regular Civil Appeal No.337 of 2011.

2. The second appeal came to be admitted after hearing the parties concerned by this Court by an order dated 4th July 2014 wherein this Court has already framed question of law to be considered at the time of final hearing.

3. In that view of the matter, as the second appeal is already admitted, it will be appropriate that the interim relief passed by this Court on 4th July 2014 is continued till the final hearing of appeal with

rider that appellant shall not create any third party interest, destroy the nature of property or shall not create charge except for the benefit of Government scheme.

4. The order dated 4th July 2014 passed by this Court is made operational till the final hearing of appeal.

5. Civil Application stands disposed of in above terms.

(N.W. SAMBRE, J.)

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