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

WRIT PETITION NO.8508 OF 2014

Khaja Husen Madarasaheb Saudagar ..PETITIONER

VERSUS

Madhukar Sadashiv Mane & ors. ..RESPONDENTS

Mr V.V. Ingale, Advocate for petitioner;
Mr M.B. Kolpe, Advocate for respondents no.1 & 2

CORAM : N.W. SAMBRE, J.
DATE : 2nd December, 2015

ORAL ORDER :

The present petition can conveniently be disposed of by taking into account the fact that the Regular Civil Appeal No.82 of 2014, preferred by the present petitioner against the judgment and decree passed by the Trial Court, is pending and is reported to have ripened for final hearing.

2. Having perused the order impugned, it is required to be noted that the petitioner's suit came to be decreed, which decree is stayed in an appeal.

3. In my opinion, it will be appropriate to direct the learned Principal District Judge, Osmanabad, to decide appeal bearing R.C.A. No.82 of 2014 finally, within a period of three months from today.

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4. The parties hereto undertake that they shall co-operate with the Court below for deciding the appeal in question.

5. In the meantime, the position which exists as on today, to continue.

6. Writ Petition stands disposed of in terms of above directions with no order as to costs.

(N.W. SAMBRE, J.)

amj