

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

APPEAL FROM ORDER NO. 117 OF 2013

The Commissioner, Ahmednagar
Municipal Corporation .. Appellant

Versus

Pandit Narayan Kharpude and another .. Respondents

Shri K. N. Lokhande, Advocate for the Appellant.
Shri N. V. Gaware, Advocate for Respondents.

**CORAM : S. V. GANGAPURWALA, J.
DATE : 10TH SEPTEMBER, 2015.**

PER COURT :

. The respondents had filed suit seeking injunction against the present appellant from demolishing the suit property. The suit is dismissed. Aggrieved thereby the plaintiffs filed an appeal. In appeal during the pendency and final disposal of appeal status quo has been granted. Aggrieved thereby the defendant has filed the present appeal from order.

2. I have heard Mr. Lokhande, the learned counsel for the appellant and Mr. Gaware, the learned counsel for respondents. The order of status quo is operating since 29.09.2009 and during the pendency of suit also the order of status quo was in force as submitted by the learned counsel. The appeal is now ripe for

hearing. The structure is in existence, as such the Court has directed status quo to be maintained till the disposal of appeal.

3. Considering the above, it would be appropriate to get the appeal decided on merits. In the light of the above, the appeal from order is disposed of. The learned Judge, where the appeal is pending shall endeavour to dispose of the appeal expeditiously and preferably within a period of one year from today. No costs.

[S. V. GANGAPURWALA, J.]

bsb/Sept. 15