

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

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35 CIVIL REVISION APPLICATION NO. 189 OF 2015

**LATE KONDU FAKIRA DHANGAR THR.LRS, 1)SMT.SUBHADRABAI
KONDU DHANGAR AND OTHERS**

VERSUS

1)SHRI.TULSHIRAM YADAV PATIL AND OTHERS

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Advocate for Petitioners : Mr. Bhokarikar Madhav M

Advocate for Respondent No.1 : Mr.P.P. Dhorde

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CORAM : S. V. GANGAPURWALA, J.

DATE : 5th October, 2015

PER COURT :

1. In the execution proceeding, the present applicants had filed application Exh.49 to stay the execution till final decision of First Appeal/Appeal from order which was then pending before this Court and thereafter before the District Court, Jalgaon. The said application is rejected. Aggrieved thereby, the present revision.

2. I have heard the learned counsel for the respective parties.

3. Mr. Bhokarikar, the learned counsel for the applicant states that this Court had transferred the first appeal and the original appeal to the District

Court, Jalgaon upon enhancement of the pecuniary jurisdiction of the district Courts. The appeals are now received by the District Court.

4. In the light of that, as the Appellate Court is seized with the matter, no further orders are required to be passed.

5. The interim orders passed by this Court on 16th September, 2015 shall continue for a further period of 10 days so as to enable the present applicants to file appropriate application in the pending appeal.

6. Needless to state that on lapse of 10 days, the interim protection granted by this Court shall come to an end.

7. Civil revision application is accordingly disposed of. No costs.

(S. V. GANGAPURWALA, J.)

JPC