

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

WRIT PETITION NO. 11683 OF 2015

Jitendra Kanhyalal Batheja

...Petitioner

versus

Brijlal Kanhyalal Batheja

...Respondent

.....
Mr. D.K. Kulkarni, Advocate for petitioner

Mr. B.R. Kedar, Advocate for respondent

.....

CORAM : N.W. SAMBRE, J.

DATE : 16th NOVEMBER, 2015

ORAL ORDER :

Mr. Kedar, learned Counsel for the respondent/defendant, upon instructions, makes statement that his client-original defendant shall not create any third party interest in the suit property till decision of the suit. The statement is accepted.

2. In view of above statement, the writ petition no more survives, same stands disposed of.

3. It is clarified that the petitioner herein will be at liberty to mortgage the said property. The defendant will be at liberty to take appropriate steps as per law in carrying out corrections in the mutation entry.

[N.W. SAMBRE, J.]