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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 3562 OF 1997
IN
SECOND APPEAL NO.306 OF 1997

Shreeram Sahakari Dugdha Vyavsaik
Sanstha Maryadit

.. Applicant

Vs.

Grampanchayat, Pimpalgaon and another .. Respondents

Mr.Rahul Motkari i/b Mr.V.Z.Kankaria, Advocate for the Applicant.
Mr.Nikhil Pujari i/b Mr.PN.Joshi, Advocate for the Respondent No.1.

CORAM : R. G. KETKAR, J.
DATE : 24th APRIL, 2015

P.C. :

. Heard Mr.Rahul Motkari, learned Counsel for the applicant and Mr.Nikhil Pujari, learned Counsel for respondent No.1.

2. This is an application for stay of the judgment and decree dated 10/01/1997 passed by the learned Additional District Judge, Nashik in Regular Civil Appeal No. 66 of 1993. The learned trial Judge decreed the suit and declared that Resolution No. 54 passed by defendant No.1 – Grampanchayat, Pimpalgain, Tal.Kalwan, Dist.Nashik on 26/12/1989 is null and void. Defendant No.1 was directed to delete the name of the Chairman, Gram Vikas Committee from Namuna No. 8 in respect of the suit property and to substitute plaintiff's name i.e. Shreeram Sahakari Dugdha Yavsaik

Sanstha Maryadit. By order dated 10/01/1997, the learned District Judge reversed the trial Court's decree and dismissed the suit. Rule was issued in this application on 03/07/1997. Having regard to the fact that no ad-interim order is operating as also suit instituted by the plaintiff is dismissed, there is no question of granting any relief in terms of prayer clause (a). Hence, rule is discharged. Costs in cause.

(R. G. KETKAR, J.)