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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION (ST) NO.20642 OF 2014
WITH
CIVIL APPLICATION NO.162 OF 2015

Malati Krishnaji Mankani & Ors. V/s. Urmila Laxman Mankani (since deceased) & Ors.	...Applicants. ..Respondents.
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Mr.Anant Vadgaonkar for the applicants.
Mr.Amey V. Borwankar for the respondent.

CORAM : R.K.DESHPANDE, J.

DATED : 5TH AUGUST, 2015

P.C. :-

1. Second Appeal was dismissed by this Court on 9th June, 2014. The controversy raised in the Second Appeal has been dealt with in paragraph 1. Learned counsel for the appellant reiterates his contention that no opportunity was given to the defendants to prove their stand by cross examining the plaintiff. This aspect has been squarely dealt with by this Court in paragraph 1 and to permit the appellant to raise this contention would amount to rehearing of the matter which has been already decided. No ground is made out for review. The review petition is dismissed.

2. After dismissing the Second Appeal on 9th June, 2014 the learned counsel for the appellant asked for continuance of order of status quo granted by this Court for a further period of 6 weeks so as to enable the appellant to take recourse to further remedies available in law. This Court continued the order of status quo for a further period of four weeks. The period of four weeks has expired. In view of this, the decree becomes executable and executing Court is, therefore, directed to proceed with the execution within a period of two months from the date of the first appearance of the parties before it. If the appellants fail to appear before the Court, the Court may proceed in the absence of the appellants as per earlier order.

3. In view of the dismissal of the Review Petition, the Civil Application does not survive and the same is also disposed of.

JUDGE