

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1809 OF 2013****IN****SECOND APPEAL NO. 763 OF 2013****Babu Gulba Nimse & Ors.****..... Applicants****VERSUS****Karbhari Gulba Nimse & Ors.****..... Respondents**

Mr.Sachin Gite for the Applicants.

Mr.Rahul D.Motkari for Respondent No.1.

CORAM : R.D. DHANUKA, J.**DATED : 20th NOVEMBER, 2015****P.C.**

By this civil application, the applicants prays for stay of the impugned judgment and order dated 20th August, 2013 passed by the learned Principal District Judge, Nashik in Regular Civil Appeal No.142 of 2008. No affidavit in reply is filed till date.

2. By a separate order passed by this court on 29th October, 2014, after expressing the prima facie view, this court has already granted ad-interim relief in terms of prayer clause (b) of the civil application. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clause (b). It is however made clear that the applicant also shall not create third party rights in respect of the property during the pendency of the second appeal. No order as to costs.

[R.D. DHANUKA, J.]