

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

7 CIVIL APPLICATION NO.9310 OF 2016 IN SECOND
APPEAL NO. 452 OF 2016

SURESH FAKIRA PATIL
VERSUS
SOMNATH DHONDU WADEKAR

Shri. Vijay B. Patil, Advocate, for applicant.

Shri. Girish S. Rane, Advocate, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 5th JULY 2016

ORDER:

1) Heard learned counsel for the applicant / appellant on the application filed for interim relief till disposal of the appeal. Learned counsel for the respondent has strong objection to this prayer. He submitted that the suit of the plaintiff is dismissed by reversing the decision of the trial Court by the first appellate Court.

2) The submissions made show that initially temporary injunction was given by the trial Court and the suit for perpetual injunction was decreed. No stay was

granted by the first appellate Court against this decision of the trial Court and so the relief of injunction was there till the disposal of the first appeal by the District Court. In view of these circumstances, this Court holds that the relief of injunction of the nature granted by the trial Court in favour of the plaintiff needs to be given. And so such relief is given. The relief will remain in existence till disposal of the appeal. The civil application is disposed of.

Sd/-
(T.V. NALAWADE, J.)

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