

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

**CIVIL APPLICATION NO. 15697 NO. 2016
IN
SECOND APPEAL NO. 597 OF 2016**

Ramrajsinha S/o Baijanathsinha Thakur & Anr. ... Applicants

VERSUS

Vimalbai W/o Dhanrajsinha Thakur & Anr. ... Respondents

.....
Mr N. D. Sonavane, Advocate for the applicants
.....

CORAM : **SUNIL P. DESHMUKH, J.**
DATE : **2ND DECEMBER, 2016.**

PER COURT:

. Civil Application stands granted in terms of prayer clause
'A'. Title clause of the Second Appeal be amended accordingly.

2. Notices of Second Appeal be issued on the addresses as
given in the title clause of the Civil Application, returnable on
15.02.2017.

3. Interestingly, learned counsel also refers to that while
execution of decree impugned in the Second Appeal is being
proceeded with notices which have been served on the present

appellants, the addresses of the decree holders are shown as the ones as are appearing in the original title clause of the second appeal. He therefore purports to contend that the decree-holders are adopting devious way in the second appeal. He urges for interim relief.

4. In the circumstance, till the returnable date, the execution of decree may be proceeded with save and except delivery of possession.

5. In addition to court process, the applicants shall serve the respondents privately by any legally acceptable mode and to file affidavit along with tangible proof of service. In case of failure to serve the respondents privately and file service affidavit by returnable date, the *ad-interim* relief would cease to operate.

[SUNIL P. DESHMUKH]
JUDGE