

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.190/2016
IN
WRIT PETITION NO.2375/2000

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. D. D. Ranaware for the applicant
Mr. S. B. Kalel, AGP for the respondent Nos.1 to 4.
Mr. Abhijeet Patil i/b. Vijay Patil for respondent
Nos.7 to 9.

CORAM : K. K. TATED, J.
DATE : SEPTEMBER 2, 2016

P.C.:

1. Heard. This application is for recalling the *status quo* order dated 26.07.2000 passed by this court with respect to plot Nos.37 to 41 of CTS No.495 of Sadar Bazar, Satara.

2. The learned counsel for the applicant submits that the applicant is owner of these plots. He already constructed a building on these plots and the said building is in his possession. He submits that because of status quo order dated 26.07.2000, it is not possible for the applicant to raise finance from Financial Institutions for his business purpose.

3. After arguing for some time, the learned counsel for the applicant made a statement that the applicant is ready and willing to give an undertaking to this court that they will not sell those plots and/or constructions made till hearing and final disposal of the Writ Petition . He submits that the applicant wants to raise finance for his business purpose. Therefore, the applicant may be allowed to raise finance from Financial Institutions. He further submits that in case any adverse orders are passed against the applicant in the Writ Petition, he undertakes to clear the entire finance within six months. To that effect, the applicant Sujit Himat Mutha filed his affidavit cum undertaking dated 02.09.2016. Same is taken on record and marked "X" for identification. The learned counsel for the applicant submits that applicant / deponent Sujit Himat Mutha is present in court. Undertaking is accepted.

4. In view of the above mentioned facts, following order is passed:

a. The applicant is permitted to raise finance from Financial Institutions on plot Nos.37 to 41 of CTS No.495 of Sadar Bazar, Satara and constructions thereon.

- b. The undertaking cum affidavit dated 02.09.2016 filed by the applicant is accepted.
- c. The status quo order dated 26.07.2000 passed by this court is recalled.
- d. Liberty granted to the applicant to move before the Revenue Authority for removing the remark from the property card, if any.
- e. Civil application stands disposed off accordingly.
- f. Parties to act on an authenticated copy of this order.

JUDGE