

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION***

CIVIL APPLICATION NO. 643 OF 2016

in

SECOND APPEAL NO. 399 OF 2016

Laxman Maruti Jadhav

(Deceased through legal heirs) & Ors. ... Applicants/Appellants.

V/s.

Pandurang Maruti Pawar

(Deceased through his heirs) & Ors. ... Respondents.

Mr. R.A. Thorat, Senior Advocate i/b. Ravi Kadam for the
Applicants/Appellants.

Mr. Dilip Bodake for Respondents 2A, 2B, 3, 4 and 6.

CORAM : N.M. Jamdar, J.

25 July, 2016.

P.C. :-

Heard the learned Counsel for the parties. The Appeal which challenges the Judgment and decree directing the Appellants to hand over the possession has been admitted by order passed today. Therefore, the possession of the Appellants in the Suit property will have to be protected. At the same time, the Appellants will not create any third party rights or part with possession. The Civil

Application is accordingly allowed in terms of prayer clause (a) with the above mentioned conditions upon the Appellants.

2. The learned Counsel for the Applicants states that he is desirous of seeking certain interim relief in this Appeal such as compensation, etc. It is always open to the Respondents to file such application, which would be considered on its own merits. The Civil Application is disposed of.

(N.M. Jamdar, J.)