

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

WRIT PETITION (ST) NO. 29135 OF 2016

Mr. Arvind Kashiram Bandekar	 Petitioner
Versus	
Shri Kamalakar Bhagaji Ghorpade & Ors.	 Respondents

Vishwajeet Sawant a/w Prabhakar Jadhav for petitioner.
Murlidhar Kale for Respondent Nos. 1 and 2.

***CORAM : N. M. Jamdar J.
Monday 24 October 2016***

P.C.

. Heard learned Counsel for the parties.

2. The learned Counsel for petitioner states that respondent nos.1 and 2/original plaintiffs are the contesting parties in this petition. The learned Counsel for respondent nos.1 and 2 confirms this position. In view of the order that is proposed to be passed, the petition is taken up for disposal forthwith.

3. The learned Counsel for the respondent nos.1 and 2 states that since the appeal is placed on board on 21 December 2016, the respondent nos. 1 and 2/plaintiffs will not proceed to

execute the decree till the next date in the appeal subject to further orders to be passed in the appeal, but he states that the petitioner should be placed under mandate not to prolong the hearing of the appeal. This request made is reasonable. The learned Counsel for the petitioner also states that the petitioner will go on with the hearing of the appeal on 21 December 2016 and will not seek any adjournment. Both the statements made by the learned Counsel are accepted. In view of these statements made by the learned Counsel for the parties on instructions, which are accepted, no further orders required to be passed in this petition. The writ petition is disposed of.

4. The learned counsel for the petitioner submitted that till next date the proceedings for change of revenue records be stayed. It is not necessary to do so as any change in revenue records is always will subject to adjudication of the substantive proceedings.

(N. M. Jamdar, J.)