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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.254 OF 2016
WITH
CIVIL APPLICATION NO.330 OF 2016

Karbhari B. Zhalte, since deceased
through L.Rs. - Smt.Shakubai K. Zhalte & Ors. ...Appellants
V/s.
Sunil W. Zhalte ...Respondent

Mr.S.S. Kulkarni for the Appellants.
Mr.R.D. Suryawanshi for the Respondent Nos.1 to 5.

CORAM : R.D. DHANUKA, J.
DATE : 13TH OCTOBER, 2016.

P.C. :-

1. Learned counsel appearing for the parties agree that during the pendency of the appeal filed by the appellants (Regular Civil Appeal No.113 of 2014) before the learned *Ad-hoc* District Judge, Niphad, *ad-interim* order passed by this Court on 30th October, 2015 to continue. The statement is accepted.
2. During the pendency of Regular Civil Appeal No.113 of 2014, *ad-interim* order passed by this Court on 30th October, 2015 to continue. The learned *Ad-hoc* District Judge, Niphad shall make an endeavor to dispose of the said appeal within three months from the date of the first hearing, which is proposed to be held on 17th

November, 2016. It is also made clear that by way of interim measurement, the amount of subsidy / government aid due to the drought to be received by either of the parties in respect of the suit land during the pendency of the said appeal (Regular Civil Appeal No.113 of 2014) will be deposited in the District Court in the said appeal.

3. The parties as well as the learned *Ad-hoc* District Judge, Niphad to act on the authenticated copy of this Court.

4. The appeal from order is disposed of in the aforesaid terms. No order as to costs.

5. In view of disposal of the appeal from order, Civil Application No.330 of 2016 does not survive and is accordingly disposed of.

6. Both the parties are directed to co-operate with each other and also with the learned *Ad-hoc* District Judge, Niphad to dispose of the said appeal expeditiously.

(R.D. DHANUKA, J.)