

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 597 OF 2015****IN****SECOND APPEAL NO. 270 OF 2015****Yashwant Dnyanu Parit****since deceased through legal heirs & Ors.****..... Applicants****VERSUS****Bapu Doulu Patil****..... Respondent**

Mr.Anand Patil for the Applicants.

Mr.P.D.Dalvi for the Respondent.

CORAM : R.D. DHANUKA, J.**DATE : 30th SEPTEMBER, 2016****P.C.**

By this civil application the applicants seek stay of the impugned judgment and decree dated 1st October, 2014 passed by the learned District Judge. By a separate order passed by this court, second appeal is already admitted on 26th October, 2015 on substantial questions of law formulated by this court.

2. This court has already granted ad-interim injunction by order dated 26th October, 2015 in this civil application in terms of prayer clause (a). No affidavit in reply is filed to this civil application.

3. I have heard the learned counsel for the parties and have perused the civil application. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clause (a) of the civil application. It is made clear that the applicants also shall not create any third party rights in respect of the suit property during the pendency of the second appeal. No order as to costs.

4. In view of the fact that the respondent is a senior citizen and is blind, hearing of the second appeal is expedited.
5. Place the second appeal on board in the list of expedited matter **(senior citizens) as per the number and year of this second appeal.**

[R.D. DHANUKA, J.]