

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 275 OF 2015

IN

SECOND APPEAL NO. 142 OF 2015

Shri Amol Kisan Kshirsagar & Anr.

...Applicants

Versus

Sau. Swati Popat Pawar & Anr.

...Respondents

Mr. Dilip Bodake, for the Applicants.

Mr. Kumar Saste, for the Respondent No. 1

CORAM : R.D. DHANUKA, J.

DATE : 28th November 2016

ORDER :

1. Rule.

2. By a separate order passed by this Court today, the Second Appeal is admitted on the substantial questions of law formulated by this Court.

3. Respondent No. 1 is contesting party. By an order dated 18th March 2016 passed by this Court, this Court has directed that

the execution proceedings in respect of partition to go on. However, the actual possession of the suit property shall not be taken from the Applicants.

4. The Civil Application is made absolute in terms of ad-interim order passed on 18th March 2016.

5. It is made clear that during the pendency of the Second Appeal, the Applicants shall not create any third party rights in respect of the suit property.

[R.D. DHANUKA, J.]