

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2261 OF 2017

ASHA RAMESH MAHAJAN
VERSUS
MAHARU KALU BHIL

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Advocate for Petitioner : Shri Patil Vijay B.
Advocate for Respondent : Shri Rane Girish S.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: September 06, 2017

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PER COURT :-

1. The petitioner is aggrieved by the inter-locutory order dated 2.12.2016 passed by the appellate Court below Exhibit 5 in RCA No.135 of 2016. The judgment and decree impugned in the appeal has been stayed and the appeal has been expedited.

2. Both the learned Advocates for the respective sides have argued at length.

3. Learned Advocate for the respondent relies upon the judgment of this Court in the matter of Atul Projects India Ltd. Vs. Babu Dewoo Farle [2011 (6) Mh.L.J. 355].

4. I find that the appeal Court has considered the matter at a prima facie stage and the balance of convenience of the parties and had passed

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the impugned order. Both the learned Advocates submit that they would maintain status quo and would avoid a confrontation if the appeal is expedited.

5. Considering the above, this petition is disposed off by recording the statement of the parties in the backdrop of the impugned order. The appeal Court would endeavour to decide RCA No.175 of 2016 as expeditiously as possible and preferably on/or before 29.12.2017.

(RAVINDRA V. GHUGE, J.)

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