

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

APEAL FROM ORDER NO. 19 OF 2017
WITH CA/2516/2017 IN AO/19/2017

TUKARAM PANDU DANDGE AND OTHERS
VERSUS
SUMANBAI KISHANRAO KULKARNI (BENDRE) AND OTHERS

...
Advocate for Petitioners : Mr. A.D. Kasliwal
Advocate for Respondents : Mr. P.N. Sonpethkar
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CORAM : V. K. JADHAV, J.
DATED : 28th JUNE, 2017

PER COURT:-

1. Learned counsel for the parties, on instructions, submit that this appeal can be disposed of by directing the lower appellate court to dispose of pending Regular Civil Appeal No. 148 of 2016, as expeditiously as possible, preferably within a period of two months from the date of preparation of paper book by continuing the order passed by this court on 07.03.2017 restraining thereby the respondents original defendants from interfering and obstructing peaceful possession and enjoyment of the appellants over the suit property as described in the schedule which is a part and parcel of the plaint, till disposal of the said appeal.

2. In view of above submission, the lower court is hereby directed to dispose of the pending Regular Civil Appeal No. 148 of 2016, as

expeditiously as possible, preferably within a period of two months from the date of preparation of paper book and till disposal of said appeal, order passed by this Court dated 7.3.2017, restraining the defendants from interfering and disturbing into peaceful possession and enjoyment of the plaintiff over the suit property, as described in schedule, which is a part and parcel of the plaint, would remain in force.

3. With the above observations and directions, the appeal from order as well as civil application are disposed of.

(V. K. JADHAV, J.)

rlj/