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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.564 OF 2002
IN
SECOND APPEAL NO.768 OF 1999**

Rajaram s/o Deorao Hatwate & anr. ..APPLICANTS

VERSUS

Santram s/o Tukaram Hatwate & ors. ..RESPONDENTS

Mr N.B. Khandare, Advocate for applicants;
Mr P.D. Suryawanshi, Advocate for respondents no.1 & 2

CORAM : NITIN W. SAMBRE, J.

DATE : 23rd November, 2017

ORAL ORDER:

The appeal was admitted on 25th September, 2002 and against the decree, Regular Darkhast No.131 of 1999 is pending, which was stayed during pendency of the present application.

2. As the interim relief is in operation for more than 17 years, in my opinion, it will be appropriate to allow the application in terms of the undertaking furnished by the respondents and is accordingly allowed in terms of order dated 21st June, 2002.

(2)

3. Since the appeal is to be heard finally, the applicants-appellants shall file private paper book within a period of ten weeks from today, failing which the appeal shall stand dismissed without further reference to the Court.

(NITIN W. SAMBRE, J.)

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