

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4518 OF 2014
WITH
CIVIL APPLICATION NO. 8050 OF 2014

Shri Gangadhar s/o Mhasanaji Ayanalwar .. Petitioner
versus
Raju s/o Chabu Shejul and others .. Respondents

Mr. Bhagwan V. Thombre, Advocate for petitioner
Mr. G. J. Karane, Advocate for respondents no. 1 and 2 to 7
Mr. M. K. Deshpande, Advocate for respondent no. 3

CORAM : SUNIL P. DESHMUKH, J.
DATE : 19-12-2017

ORDER :

1. Learned counsel appearing on behalf of petitioner refers to that writ petition has been moved against order passed by the appellate court rejecting application for stay filed by present petitioner during pendency of delay condonation application in regular civil appeal. He refers to that stay application was effective only during pendency of delay condonation application. He submits, delay has already been condoned and as such an application has been moved for stay in the regular civil appeal and the same is pending. He, therefore, submits that interim relief as had been granted by this court during pendency of writ petition, may be continued till decision of stay application in regular appeal.

2. Learned counsel for respondents although purports to oppose the request yet, having regard to the submissions on behalf of the petitioners, it appears to be expedient that the request be considered favourably, since interim relief is operating during pendency of writ petition.

3. As such, interim relief operating during pendency of writ petition to continue to operate till decision on stay application in regular civil appeal is delivered.

4. Writ petition, with aforesaid, is disposed of. Civil application stands accordingly disposed of.

SUNIL P. DESHMUKH
JUDGE

pnd/