

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9828 OF 2017

PRAKASH KERBA PATIL AND OTHERS
VERSUS
KEVALBAI VITHAL BHOIBAR AND OTHERS

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Advocate for Petitioners : Shri Gastgar Santosh B.

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CORAM : RAVINDRA V. GHUGE, J.

Dated: August 09, 2017

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PER COURT :-

1. The petitioners have challenged an inter locutory order dated 22.3.2017, by which, the appellate Court had rejected application Exhibit 14 and declined to stay the judgment and decree dated 25.10.2013 in RCA No. 280 of 2011.

2. I have considered the submissions of the learned Advocates for the petitioners.

3. I find from the conclusions of the appellate Court that it has considered the judgment and decree at a prima facie stage and has concluded, prima facie, that the impugned judgment may not be faulted. Learned Advocate for the petitioners submit that the appeal has already been posted for final arguments and

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the petitioners could complete their submissions within a period of two months.

4. Considering the above and the fact that this petition challenges an inter locutory order, I find no reason to entertain the same.

5. This petition is, therefore, dismissed.

6. Needless to state, the trial Court may consider the final submissions of the litigating sides expeditiously and accordingly, decide the Appeal as expeditiously as possible.

(RAVINDRA V. GHUGE, J.)

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