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

WRIT PETITION NO. 8768 OF 2016

Bhimbai Bhilla @ Bhikchand Deore & Ors.

..PETITIONERS

VERSUS

Bhausahab s/o Rangnath Kalunkhe & ors

..RESPONDENTS

Mr. S.S. Thombre, Advocate for Petitioners;
Mr. P.F. Patni, Advocate for Respondent Nos. 1 to
4.

CORAM : NITIN W. SAMBRE, J.

DATE : 11th SEPTEMBER, 2017

ORAL ORDER :

This petition is filed by the original plaintiffs questioning the order of stay passed by the District Judge-1, Vaijapur in Regular Civil Appeal No. 36/2016 on 30th June, 2016, staying the effect and operation of judgment and decree dated 20th April, 2016 passed by the 2nd Joint Civil Judge, Junior Division, Vaijapur, in Regular Civil Suit No. 120/2010, to the extent of western side three acres portion.

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2. Heard, Shri. S.S. Thombre, learned counsel for the Petitioner-original plaintiffs.

3. The order impugned granting stay to the effect and operation of impugned judgment and decree is in operation for more than one year.

4. In the light of above, it will be appropriate, in my opinion, to dispose of this petition by directing the learned District Judge-1, Vaijapur to decide Regular Civil Suit No. 36/2016 preferred by the present Respondent within a period of four months from the date of communication of this order.

5. The original appellants shall furnish private paper-book before District Judge-1, Vaijapur within a period of three weeks from today, which period be excluded from the time of four months fixed by this court for final disposal the Appeal. If the appellants fail to

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furnish private paper-book within stipulated time, the Appellate Court will be at liberty to saddle such exemplary costs on them or may impose such conditions including that of rehearing of the stay application.

5. With the above observations, Writ Petition stands disposed of.

(NITIN W. SAMBRE, J.)

Sam..