

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

CIVIL APPLICATION NO. 12424 OF 2017
IN
SECOND APPEAL NO. 634 of 2017
WITH
CIVIL APPLICATION NO. 12425 OF 2017
IN
SECOND APPEAL NO. 635 OF 2017

Bhausahab Sonyabapu Vikhe (DIED)
through legal representatives

...APPLICANTS

VERSUS

Parvat Sonyabapu Vikhe and others

...RESPONDENTS

Mr Rahul A. Tambe, Advocate for applicants
Mr V.S. Bedre, Advocate for respondents No.1 & 2

CORAM : NITIN W. SAMBRE, J.

DATE : 22nd November, 2017

ORAL ORDER :

The injunction, as prayed by the appellants, stands allowed in terms of Prayer Clause "C", subject to condition that appellants shall not create any third party interest in land Gat No. 353 admeasuring 4 hectares 9 Gunthas situated at village Loni (Bk.) Taluka Rahata District Ahmednagar, particularly, having regard to the fact that there was injunction throughout pendency of the proceedings before the Courts below.

2. There shall be stay to the execution of the decree for partition.

3. In view of admission of appeal, appellants are granted liberty to mention the matter for early hearing after filing of the paper book.

(NITIN W. SAMBRE, J.)

pjm