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

**CIVIL APPLICATION NO.3238 OF 2017
IN
SECOND APPEAL NO.556 OF 2011**

Bansi Lakadu Pawar & ors. ..APPLICANTS

VERSUS

Shetkari Sahakari Sangh,
Akkalkuwa ..RESPONDENT

Mr Milind Patil, Advocate for applicants

CORAM : NITIN W. SAMBRE, J.

DATE : 8th September, 2017

ORAL ORDER:

The appeal is already admitted by this Court on framing two substantial questions of law on 16th July, 2013. Amongst other, absence of title of the respondent to the suit property is one of the issues.

2. It is out of the judgments which are questioned in the appeal, the Tahsildar has issued notice to the present applicants-appellants directing removal of encroachment.

3. In view of the fact that the appeal is admitted, in my opinion, it will be appropriate to allow the application in terms of prayer clause (A) and is accordingly allowed.

4. Appellants shall file private paper-book within a period of six months from today, failing which the appeal shall stand dismissed without further reference to the Court.

(2)

5. In view of the fact that the applicants have relied upon the document of which he should have supplied typed copy, costs of Rs.1,000/- is saddled on the applicants-appellants, to be deposited with the High Court Bar Library within a period of four weeks from today. If the costs as ordered is not deposited, stay granted by this Court shall stand vacated without further reference to the Court.

6. In the meantime, applicants shall also supply typed copy of the said document.

(NITIN W. SAMBRE, J.)

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