

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION (ST) NO. 5948 OF 2017
IN
SECOND APPEAL NO. 125 OF 2009
WITH
CIVIL APPLICATION NO. 523 OF 2017
CIVIL APPLICATION NO. 524 OF 2017

Shri. Chandrakant B. Khaire and another ... Applicants

Versus

Smt. Bhagubai S. Jarande and others ... Respondents

Mr.D.G. Adsul for the Applicant in Civil Application (St) No.5948/17 and Original Respondent Nos.1-A, 1-B, 1-D, 2-B, 2-C, 3.

Mr.Ranjan Pawar i/b. Shriram Kulkarni for the Original Appellants and Applicants in Civil Application Nos.523/17 and 524/17.

CORAM : S.J. KATHAWALLA, J.
DATED : 2nd AUGUST, 2017

P.C.:

1. By the present Civil Application the Applicant seeks stay of the suit filed before the Joint Civil Judge Junior Division, Saswad at Pune being R.C.S. No. 72 of 2015, pending the above Second Appeal. The Applicant simultaneously moved an Application before the Learned Joint Civil Judge, Junior Division, Saswad, Pune seeking similar relief which application is dismissed. In view thereof, the above Civil Application has become infructuous. However, the Applicant shall be at liberty to take

out appropriate proceedings against the Order passed by the Joint Civil Judge Senior Division, Saswad, Pune if so advised. It is clarified that if any such application is taken out, the same will be decided on its own merit.

2. The above Civil Application (St) No.5948 of 2017 is accordingly disposed off.
3. Place the above Second Appeal for hearing in normal course.

(S.J.KATHAWALLA, J.)