

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL WRIT PETITION NO. 3522 OF 2014

Khandu Nanaji Shirsath

.. Petitioner

v/s.

Pradip Deoram Bagul & Ors.

.. Respondents

Mr. Tushar Sonawane for the petitioner

Mr. Satyajeet P. Dighe for respondent nos.1 to 4

CORAM : M.S. SANKLECHA, J.

DATED : 14th AUGUST, 2017

PC.

1. The petition challenges the order dated 2nd December, 2013 passed by the District Judge, Nashik. The impugned order dated 2nd December, 2013 allowed the appeal filed by the respondent nos. 3 and 4 herein, against the order dated 18th August, 2011 passed by the Civil Judge, Junior Division, restraining the respondents from disturbing the possession of the petitioner. On 3rd April, 2014 while issuing notice to the respondents, this Court had directed the parties to maintain status-quo as on that day.

2. Mr. Sonawane, learned Counsel appearing for the petitioner

states that the trial has been proceeded before the Civil Judge, Junior Division and as per his instructions, even the evidence is over and the suit has been kept for hearing on 22nd August, 2017.

3. In the above view, as there has been ad-interim stay in favour of the petitioner since 18th August, 2011 which is continued till today, it would be appropriate that the stay granted by this Court is continued till the final disposal of the suit by the trial Court. This is essential in view of the fact that the trial has reached its final stage and the decision on the dispute is soon expected.

4. In the above view, the petition is allowed in the above terms.

(M.S. SANKLECHA, J.)