

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

907 WRIT PETITION NO. 5479 OF 2017

**JANARDAN VITHAL PUJARI
VERSUS
SUNITA GODHAJI PUJARI AND OTHERS**

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Advocate for Petitioner : Shri. S. B. Kadu
Advocate for Respondent No.1 : Shri. R. R. Karpe

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 28th NOVEMBER, 2018.

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PER COURT :

1. By this petition filed on 13.02.2017, the petitioner seeks to challenge order dated 17.11.2016, by which, application Exh-7 filed by the petitioner seeking a stay to the judgment and decree assailed in R.C.A. No. 55 of 2016, has been rejected.

2. I find that the hearing of the this petition would virtually amount to hearing the pending appeal. The refusal of interim relief is dated 17.11.2016 and this petitioner is without any interim relief for more than two years. The appeal is of 2016. As such, ends of justice would be met by directing the learned District Judge No.2, Shrirampur to decide the pending appeal expeditiously.

3. In view of the above, this petition is disposed of.

4. The Appellate Court would endeavour to decide R.C.A. No. 55 of 2016 as expeditiously as possible and, in any, case on or before 31.03.2019.

(RAVINDRA V. GHUGE, J.)

vsm/-