

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4337 OF 2015
(Leelabai w/o Popat Sonawane Vs. Shankarrao Ramrao Dange
and others)

Mr.Tejas V.Bedre h/f Mr.V.S.Bedre, Advocate for the petitioner.
Mr.Avinash Patil Barhate h/f Mr.S.S.Chapalgaonkar, Advocate for
respondent Nos. 1 to 4.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 26/07/2018

PER COURT :

1. Considering the order dated 20/07/2018 passed by this Court, the learned Advocate for the petitioner submits on instructions that the petitioner desires to withdraw this petition so as to prefer an appeal under the Civil Procedure Code before the appropriate Court.

2 In view of the above, this petition is disposed of, as withdrawn. The time spent by the petitioner in this Court from 08/04/2015 till the passing of this order, shall be a good ground for condonation of delay in the event the petitioner prefers an appeal within 4 weeks from today.

(Ravindra V.Ghuge, J.)

LATERON AT 4.45 P.M.

3. Learned Advocates for the respective sides mentioned this

matter at 4.45 p.m. today after the above order dated 26/07/2018 was signed. It is submitted that this Court had protected the petitioner by order dated 17/04/2015. The young Advocate colleague appearing on behalf of the petitioner was unable to point this out when the order was passed in the first session. A request is made that the said relief be continued for a period of 6 weeks so that the Appellate Court would be in a position to consider the prayer for interim protection in the appeal proceedings.

4. Learned Advocate for the respondents submits that this relief shall not be continued after 6 weeks and the Appellate Court may decide the application for temporary injunction on its own merits.

5. In view of the above and by consent, it is ordered that the ad-interim protection granted by this Court on 17/04/2015 would continue only for a period of 6 weeks from today and would automatically lose its efficacy thereafter. The Appellate Court shall note that the application for interim relief, if filed by this petitioner, shall be considered on its own merits.

(Ravindra V.Ghuge, J.)

**Kranti
Hansraj
Shekatkar**

Digitally signed by
Kranti Hansraj
Shekatkar
Date: 2018.07.27
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