

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

1019 CIVIL APPLICATION NO.9041 OF 2016
IN SA/444/2016

SHAIKH BISMILLAH SK ABDUL BAGWAN
VERSUS
RASHIDKHA DALMIRKHA PATHAN

...

Advocate for Appellant/Appellant : Mr. M. A. Khan.

Advocate for Respondent : Mr. P. R. Patil.

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CORAM : **V. K. JADHAV, J.**

DATE : 05th January, 2018.

P.C.:

. The learned counsel for Appellant has sought interim relief for staying the effect of the judgment and order passed by the First Appellate Court mainly on the ground that the First Appellate Court has recorded the finding to point Nos.1 and 2 in the affirmative.

2 The learned counsel for Respondent has placed before this Court the certified copy of the judgment and order passed by the First Appellate Court wherein the finding to point No.2 is recorded in the negative by the First Appellate Court and thereby held that the Plaintiff has failed to prove that he was all along ready and willing to perform his part of contract. It appears that the Appellant is trying to mislead this Court by filing incorrect copy of the judgment and order passed by the First Appellate Court. Interim relief refused.

3 Civil application is hereby rejected.

[**V. K. JADHAV, J.]**