

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

979 CIVIL APPLICATION NO. 1675 OF 2018
IN SA/80/2008 WITH CA/11374/2010 IN SA/80/2008 WITH CA/9376/2012
IN SA/80/2008

SK SAJJAD SK GULAB AND ORS
VERSUS
SK IKRAMUDDIN SK GULAB

...
Advocate for Applicants : Mr. Qureshi Shaikhulal Abdul Gafa
Advocate for Respondents : Mr. B.R. Kedar
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CORAM : V. K. JADHAV, J.
DATED : 23rd MARCH, 2018

PER COURT:-

1. Heard.

2. I find no substance in this civil application. Interim relief has been granted way back in the year 2008 and in the year 2017, the applicant has filed this civil application for vacating the interim relief on the ground that his counsel remained absent and as such, the applicant was not given opportunity of being heard while granting interim relief. The said order dated 1.7.2008 remained in force for 10 years. There is no point in making interference in the said order after a gap of 10 years. However, the second appeal, which is of the year 2008, can be heard expeditiously. Civil application is accordingly rejected. Pending civil application No. 11374 of 2010 seeking similar relief is also rejected. Place the second appeal for final hearing on 26.4.2018.

3. Since second appeal is directed to be placed for final hearing on 26.4.2018, civil application No. 9376 of 2012 seeking early hearing of the second appeal is also disposed of.

(V. K. JADHAV, J.)