

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

WRIT PETITION NO. 10505 OF 2018
GANGASAGAR GOVINDRAO TUDME AND OTHERS
VERSUS
KUSUMBAI MANIKRAO BORSE AND OTHERS

...
Advocate for the Petitioners : Shri Murkute J.M.

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CORAM: RAVINDRA V. GHUGE, J.
DATE :- 19th September, 2018

Per Court:

1 I have heard the learned counsel for the Petitioners for quite sometime. With his assistance, I have perused the petition paper book.

2 The record and proceedings from the Executing Court in Regular Darkhast No.3/2002 have been called for by the first Appellate Court, which is dealing with Regular Civil Appeal No.57/2017. It is stated that the said appeal is posted tomorrow for final arguments.

3 Considering the above, I do not find that the impugned order dated 16.07.2018 disposing of the application Exhibit-5 could be termed as being perverse or erroneous.

4 This Writ Petition is, therefore, disposed of with a direction to the Petitioners that they shall proceed to address the Appellate Court by putting forth their final submissions tomorrow and shall not seek an adjournment.