

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

921 WRIT PETITION NO. 9902 OF 2018

ASHOK SOPANRAO JINTAPURE
VERSUS
RATNAKAR SHIVAJI GHANGHANE

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Advocate for Petitioner : Shri Thombre S.S.
Advocate for Respondent : Shri Kore Ganesh J.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: September 26, 2018

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PER COURT :-

1. This matter was heard for sometime.
2. Learned counsel for the petitioner submits, on instructions, that the RCA No.151 of 1995, which has been restored for the second time after being dismissed in default, can be disposed off expeditiously on its merits as the original plaintiff / decree holder has consented to the restoration of the appeal in MA No. 15 of 2018. It is further stated on instructions that if the appeal can be decided within two months, considering that it was lodged in 1995, RD No.2 of 2017, can be adjourned before the executing Court for the said period.
3. Learned counsel for the petitioner is agreeable.
4. In view of the above, this petition is disposed off. The

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2 - WRIT PETITION NO. 9902 OF 2018

appellate Court is directed to decide RCA No.151 of 1995 on/or before 30.11.2018 and shall not seek an extension of time. The litigating sides to the appeal shall canvass their arguments on/or before 15.10.2018 and will also file written notes of arguments, if so advised, on/or before the said date and shall not seek an adjournment beyond 15.10.2018. I am passing this order as the appeal is of 1995 and should be decided by giving highest priority.

Ajay
Kishanrao
Losarwar

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signed by Ajay
Kishanrao
Losarwar
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5. In these circumstances, RD No.2 of 2017 would be adjourned by the executing Court till 7.12.2018. The possession warrant dated 22.6.2018 would be kept in abeyance till the said date.

(RAVINDRA V. GHUGE, J.)

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