

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

932 CIVIL APPLICATION NO.11573/2018

IN

SECOND APPEAL NO.765 OF 2018

BHAUSAHEB LAXMAN HINGE

VERSUS

MANGAL SHRIMANT SUPEKAR AND OTHERS

...

Advocate for Applicant : Shri Bangar Nilkanth P.

Advocate for Respondent no.1 : Shri S. K. Shinde.

CORAM: V.L. ACHLIYA, J.

DATE: 09.10.2018

PER COURT :

1] Heard learned counsel for the appellant and the respondent no.1.

2] While admitting the second appeal, separate order is passed wherein the arguments advanced by the learned counsel for the parties have been duly considered. This Court has taken a view that the applicant / appellant has raised the substantial question of law, which needs to be considered in the second appeal and the appeal has been admitted today. In view of admission of the appeal, the following order is passed :-

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O R D E R

a] The application is allowed in terms of prayer clause (B) on condition that the respondent no.1 shall not sell, transfer or create any third party interest in respect of the suit property till disposal of the second appeal.

b] The respondent no.1 – plaintiff is directed to file written undertaking to above effect within two weeks from today.

c] Civil application stands disposed of in above terms.

(V.L. ACHLIYA, J.)