

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

908. CIVIL APPLICATION NO.13199 OF 2018
IN SECOND APPEAL NO.237 OF 2013

...

VITTHALRAO NAGORAO AJANE DIED LRS PARWATABAI
AND OTHERS
VERSUS
HANUMATRAO BANDAPPA PATIL

...

Ms.Monali P. Patil, Advocate holding for
Mr.S.S.Kulkarni, Advocate for the applicants
Mr.C.D.Fernandes, Advocate holding for
Mr.N.K.Kakade, Advocate for the respondent.

...

CORAM : A.M.DHAHALE, J.

DATE : 24.10.2018

ORDER:

1. This Appeal has been admitted on 15th April, 2013. The appellant is now aged more than 81 years. The respondent has expired and his legal heirs have also become old. The lis has begun in 1986. The matter was twice remanded. The possession is with the appellant.

2. The contention that the appellant was not complying with the order of payment of Rs.10,000/- per year seems to be without

any force. Still, considering the facts and circumstances, the Civil Application is allowed.

3. The matter is expedited.

4. The respondent shall file paper book. Print is dispensed with.

5. The matter be fixed for final hearing in the 2nd week of December, 2018.

[A.M.DHAVALÉ]
JUDGE

DDC