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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

911 CIVIL APPLICATION NO.12624 OF 2018
IN RC/1252/2018

DR.YASHWANTRAO BHASKARRAO DESHMUKH
VERSUS
RAGHUNATH KISAN SAINDANE

...
Advocate for Applicant : Shri Sant Kishor C.
Advocate for respondent: Shri V. P. Patil

.....

CORAM: V.L. ACHLIYA, J.

DATE: 09.10.2018

PER COURT :

1] The applicant has moved this application seeking extension of interim relief for further period of eight weeks for the reasons set out in the application.

2] Heard the learned counsel for the applicant and the respondent.

3] Learned counsel for the applicant submits that the applicant has approached to a lawyer for filing Special Leave Petition in the Apex Court. It will take time to file the Special Leave Petition and move the Court for seeking appropriate order. He, therefore,

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urged to extend the time by further eight weeks.

4] Learned counsel for the respondent opposed the application with a contention that the respondent is waiting to receive the fruits of litigation initiated about 17 years back. He submits that the decree passed in favour of the respondents seeking specific performance of the suit property could not be executed though the sale deed has been executed in favour of respondent through the Court. The possession of the property is yet to be taken. He submits that this Court has granted sufficient time to approach the Apex Court. He, therefore, urged to reject the application.

5] Having considered the submissions advanced in the light of the cause assigned for extension of interim order, I am of the view that the applicant was granted sufficient time to approach the Apex Court. By order dated 7.8.2018, this Court has rejected the Civil Application No.12143/2017 seeking condonation of delay of 650 days in filing the second appeal. At the request of the applicant, the interim order operating was extended by eight weeks to enable the applicant to approach the Apex Court. In the application filed, the applicant has

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not given the particulars of the Special Leave Petition.
No cause is assigned to extend the time. Therefore, I am
not inclined to entertain the application.

6] The application is rejected.

(V.L. ACHLIYA, J.)