

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

CIVIL APPLICATION NO.13861 OF 2018 IN
SECOND APPEAL NO.163 OF 2016

Hashmuddin s/o Nabikhan Bapude ...APPLICANTS

VERSUS

Prabhakar s/o Laxman Ambure & ors. ...RESPONDENTS

.....
Shri M.L. Dharashive, Advocate for respondent
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CORAM: A.M. DHAVALA, J.

DATED : 30th November, 2018.

ORAL ORDER :

1. The trial Court has held that the appellant has right of way through the field of respondents. The first appellate Court reversed the said judgment, and dismissed the suit. While admitting the Second Appeal, it has been expressed that the grant of right of way should have been respected by the lower appellate Court and, therefore, the decision of lower appellate Court has been stayed. In the light of these facts, the request for stay of judgment and decree of the lower Court cannot be allowed. Civil Application stands rejected.

(A.M. DHAVALA)
JUDGE