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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14805 OF 2013
IN
FIRST APPEAL STAMP NO.32106 OF 2013

Navnath Malhari Marale

APPLICANT

VERSUS

Saraswati Bapurao Jadhav and Others

RESPONDENTS

.....
Mr. A. N. Nagargoje, Advocate for the applicant
.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 21st FEBRUARY, 2018

ORDER :

1. None for the respondents, though the respondents are stated to have been served.

2. Learned advocate for the applicant states that initially against the impugned order, writ petition bearing No. 7729 of 2012 had been preferred in which notices were issued with interim relief directing not to take coercive steps. Thereafter, the writ petition came to be disposed of under order dated 15th October, 2013 observing that in accordance with the provisions of the Civil Procedure Code, the order is appealable and accordingly, the writ petition had been disposed of with

continuation of interim relief for a period of four weeks. Thereafter, present appeal, within said period of four weeks had been lodged. Learned advocate for the applicant purports to draw attention to that writ petition had been filed earlier on within the prescribed period of limitation for appeal.

3. It appears that notices to respondents in present application had been issued and the same were stated to be served, yet no appearance had been caused on behalf of the respondents. This, to quite a long extent shows that the respondents do not want to resist the application and perhaps are not in a position to challenge veracity of the contents thereof.

4. Civil application, in the circumstances, is allowed in terms of prayer clause "B" and is disposed of.

[SUNIL P. DESHMUKH, J.]