

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 WRIT PETITION NO. 13939 OF 2017

THE ADMINISTRATOR, CIDCO AURANGABAD
VERSUS
ANWAR KHAN RAHIM KHAN AND ANOTHER

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Advocate for Petitioner : Mr. A. R. Vaidya h/f Mr. A. S. Bajaj
Advocate for Respondents : Mr. P. S. Paranjape &
Mr. A. B. Kharosekar

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CORAM : V. K. JADHAV, J.
DATED : 27th MARCH, 2018

PER COURT:-

1. By consent this writ petition can be disposed of by directing the first appellate court to consider the application Exh.17 at the time of final hearing of the appeal and pass an appropriate order on Exh.17 considering the submissions of both the parties.

2. In consequence of above, the order passed below Exh.17 is hereby quashed and set aside. The application Exh.17 is restored to its original stage. The first appellate court is hereby directed to consider application Exh.17 at the time of final hearing of the appeal bearing Regular Civil Appeal No.211

of 2013 and pass an appropriate order on Exh.17. Writ petition is disposed of accordingly.

3. The parties are at liberty to file an application for expeditious hearing of the pending appeal.

(V. K. JADHAV, J.)

vsm/