

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1394 OF 2017
Mahendra P Kothawade vs. Gangadhar D. Burkule and ors.

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Mr. Ketan Joshi a/w. Mr. S.D. Shinde i/b Ergo Juris for the
Petitioner.

Mr. Sanjay P Shinde for Respondent No.1.

Mr. R.D. Soni i/b Ram and Co. for Respondent Nos.2 and 3.

CORAM : M. S. SONAK, J.

DATE : 28 MARCH 2018.

P.C. :-

1] Heard learned counsel for the parties.

2] Upon taking into consideration the facts and
circumstances as appears from the record, it is not necessary
to interfere with the impugned order, at this stage. However,
in case, any appeal is instituted against the final decree in
Special Civil Suit No. 280 of 2011, then, the petitioner will
have the liberty to challenge the impugned order dated 2nd
August 2016. This is in accordance with Section 105 of
C.P.C.. Accordingly, it is made clear that all contentions of all
parties in relation to the impugned order are kept open.

3] With liberty as aforesaid, this petition is disposed
of. There shall, however, be no order as to costs.

(M. S. SONAK, J.)