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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3552 OF 2015

Meerabai B. Fasate	...Petitioner
V/s.	
Lata D. Fasate & Ors.	...Respondents

Mr.S.S. Kulkarni I/b Mr.Swapnil Mhatre for the Petitioner.

Mr.Amol Waghil I/b Mr.Sagar Kasar for the Respondent Nos.1 to 7.

CORAM : R.D. DHANUKA, J.
DATE : 21ST AUGUST, 2018.

P.C. :-

1. A perusal of the order dated 23rd March, 2016 passed by the learned District Judge – 2, Niphad in Civil Miscellaneous Appeal No.52 of 2014 filed by the petitioner herein indicates that though the subject matter of the suit which was decreed and which decree was under execution, was in respect of the suit bearing Gat No.137/A admeasuring 01 Hectare 78-R and the house property bearing no.39 situated at Gorakhnagar, Yeola, Taluka Yeola, District Nashik, learned District Judge has granted an injunction in respect of the suit bearing Gat No.137/A admeasuring 01 Hectare 78-R while disposing of the said appeal preferred by the petitioner by an order dated 23rd February, 2015.

2. Admittedly, the subject matter of the suit was not bearing

Gat No.137-B but was bearing Gat No.137-A.

3. By an order dated 21st May, 2015, this Court had granted interim relief by directing the parties to maintain *status-quo* which order was in force till date.

4. By consent of parties, interim relief granted by the learned District Judge on 23rd March, 2015 as well interim relief granted by this Court on 21st May, 2015 to continue during the pendency of the Execution Application No.19 of 2011. It is made clear that the order of status-quo granted by this Court on 21st May, 2015 was in respect of the suit property also.

5. The execution application filed by the original plaintiffs is expedited. The parties are directed to co-operate with each other and also with the Executing Court in disposing of the said Execution Application No.19 of 2011 expeditiously and shall not ask for any unnecessary adjournment.

6. The writ petition is disposed of in aforesaid terms. There shall be no order as to costs.

7. All the parties as well as the Executing Court to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)