FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

SECOND APPEAL NO. 374/2010
(BHASKAR SOMAJI JAMBHULKAR **VERSUS** TILAKCHAND SAMPAT MESHRAM & OTHERS)

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Shri P.A. Jibhkate, counsel for R-1.

CORAM : A.S. CHANDURKAR, J.
DATE : AUGUST 09, 2018.

Since the order refusing to condone delay in filing an appeal under Section 96 of the Code of Civil Procedure, 1908 is under challenge, filing of private paper book is dispensed with.

The appeal be listed for hearing in the week commencing 3rd of September, 2018.

C.A.S. NO.668/2010.

By this application, it is prayed that the non-applicants be restrained from creating any third party rights in the suit property.

This Court had directed the parties to maintain status quo on 16.08.2010. That position continues even today. As the appeal has been Admitted, the non-applicants are restrained from creating any third party rights in the suit property. Civil application is disposed of.

C.A.S. NOS.770/2010 AND 440/2011.

Civil Application No.770 of 2010 has been filed by the applicant praying that the decree passed by the trial Court be stayed during pendency of the appeal. By that decree, the suit for specific performance has been decreed.

Civil Application No.440 of 2011 has been filed by the Decree holders praying that the order of status quo granted earlier be vacated.

Considering the nature of decree and as ad-interim order is operating since 16.08.2010, the same stands confirmed. The parties shall continue to maintain status quo during pendency of appeal. Civil Application No.770 of 2010 is allowed. In view of orders passed on that application, Civil Application No.440 of 2011 is disposed of.

JUDGE

APTE

Rohit Dattatraya Apte

Digitally signed by Rohit Dattatraya Apte
Date: 2018.08.09 17:13:45 +0530