

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3068 OF 2019

UMRI SAHAKARI GINNING AND PRESSING SOCIETY LTD.
THROUGH MANAGER
VERSUS
HARIDAS DATTARAM CHAVAN AND ANOTHER

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Advocate for the Petitioner : Shri S. B. Ghatol Patil
Advocate for Respondent No. 1 : Shri Deelip Patil Bankar

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 13th JUNE, 2019.

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PER COURT :

1. The petitioner is aggrieved by the interim order dated 25/01/2019 passed by the Maharashtra State Cooperative Appellate Court at Aurangabad, by which, the petitioner is restrained from alienating or transferring or selling the suit land admeasuring 8 hectors 29 R. from Umri city till the decision in the Appeal.

2. I have heard the learned Advocates for the petitioner and the respondent. With their assistance, I have gone through the petition paper book.

3. Considering that the Appeal No. 10/2019 filed by the respondents herein, is pending final adjudication and as I find that the learned Member of the Appellate Court has passed an equitable order in order to avoid creation of third party interests or encumbrances on the suit land, I am not inclined to entertain this petition. Nevertheless, the learned Advocate for the petitioner submits that he himself appears before the Appellate Court and the next date is 15/06/2019 when the litigating sides are expected to advance their oral final arguments and for placing citations. He assures that he would not be seeking an adjournment in the said matter.

4. Shri Bankar, learned Advocate appearing for the respondents submits that the respondents do not desire to seek any adjournment on 15/06/2019 and have no reason to avoid advancing final arguments. However, considering the pendency before the Appellate Court, the respondents are willing to abide by the date on which the Appellate Court desires to hear the parties.

5. Considering the above, this petition is disposed off. The

learned Member, Appellate Cooperative Court would consider the pendency of appeal proceeding before it and if the litigating sides can conveniently advance their final arguments on 15/06/2019 in Appeal No. 10/2019 or on any other date as may be granted by the Appellate Court, the said appeal proceedings could be disposed off expeditiously and preferably within a period of six months.

(RAVINDRA V. GHUGE, J.)

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