

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

**915 CIVIL APPLICATION NO.5730 OF 2019
IN WP/8568/2018**

THE DEPUTY COLLECTOR AND ADMINISTRATOR MAHARASHTRA
STATE DEVELOPMENT COR. LTD AURANGABAD ..APPLICANT

VERSUS

BIJALABAI BHAGINATH NIGHOTE ..RESPONDENT

...

Mr. S. V. Adwant, Advocate for the Applicant.
Mr. M. K. Bhosale and Mr. M. L. Muthal, Advocate
for Petitioner in Writ Petition.

...

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATED : 02nd MAY, 2019.

PER COURT:-

1. We have heard Mr. Adwant, learned counsel for applicant and Mr. Muthal for respondent.

2. Under this application the extension of time is sought. The learned counsel submits that the petitioner has already filed Civil Suit bearing Special Civil Suit No.357/2019 with regard to the sale deed in question. The respondent has also caused appearance in the matter.

3. While disposing of the writ petition under order dated 04.02.2019 in Writ Petition

No.8568/2018 in paragraph 6 we had observed as under:

"In case the said sale deed is in force and no other orders are passed by the court of competent jurisdiction with regard to the said sale deed, then the respondents shall pay the amount as per the said sale deed within three months."

4. When we had observed that no other orders are passed by the court of competent jurisdiction with regard to the sale deed in question, then the respondent shall pay the amount as per the sale deed within three months. By the said order we meant that the parties may get the order from the Civil Court where the Civil Suit is filed with regard to the sale deed and the payment to be made as per the sale deed. The parties may approach to the Court for the prohibitory order with regard to the payment to be made, which naturally the Court would decide it on its own merits.

5. The civil application is disposed of. No costs.

(A. M. DHAVALA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE