

- 1 -

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CIVIL APPLICATION NO.7507 OF 2019

IN

CIVIL APPLICATION NO.6937 OF 2019

IN

SECOND APPEAL NO.254 OF 2000

SHIVAJI LAXMAN PATHAK

VERSUS

M/S NIRMAN BHARATI LAND MARKS PVT. LTD.,
THROUGH ITS DIRECTOR MR.RANJEET AND OTHERS.

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Shri D.P. Palodkar, Advocate h/f Shri Chaitanya S. Deshmukh, Advocate for applicant.

Shri A.S. Bajaj, Advocate for respondent no.1
(Org.appellant in SA).

Shri Anand Bhandari, Advocate for respondent nos.2(1),
2(i) to 2(iii) & 2(3).

Smt.Charuta S. Deshmukh, Advocate for respondent no.3.

CORAM: V.L. ACHLIYA, J.

DATE: 15.07.2019

PER COURT :

For the reasons to be separately recorded,
following order is passed:-

O R D E R

A] Civil Application No.7507/2019 is allowed
in terms of prayer clause (B). The order dated
18.6.2019 passed in Civil Application
No.6937/2019 is recalled.

- 2 -

B] It is expressly made clear that in case there is any dispute between the parties to the civil application, they will be at liberty to adopt appropriate remedies available under the law.

C] It is further made clear that the observations made in the order are made for the limited purpose of deciding present application. None of the observations made in the order shall be treated as an expression of view of this Court as to right, title and interest of the parties over the suit land as well as the land claimed by the applicant.

D] Civil Application No.7507/2019 is disposed of in the aforesaid terms.

(V.L. ACHLIYA, J.)