

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11962 OF 2018
(Apparao s/o Narayan Patil Vs. Mahadeo s/o Harishchandra Patil
and others)

Mr.M.B.Kolpe, Advocate for the petitioner.
Mr.V.M.Vibhute, Advocate for respondent Nos.1 to 3.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 17/01/2019

PER COURT :

1. Learned advocate Mr.Vibhute causes an appearance on behalf of all the respondents.
2. I have considered the strenuous submissions of the respective sides. An interlocutory order passed by the Trial Court on 26/06/2017 in RCS No.739/2016, is subject matter of challenge in Misc.Civil Appeal No.70/2017. Grievance is that an interlocutory application has been rejected by the Appellate Court vide the impugned order dated 17/03/2018.
3. I find that the appeal could be directed to be decided within a time frame since entertaining this petition on the interlocutory order would call for a hearing as regards the rights of the litigating sides

with reference to the path in the suit property.

4. In view of the above, this petition is disposed of. The Appellate Court would endeavour to decide Misc. Civil Appeal No.70/2017 as expeditiously as possible and in any case on or before 31/05/2019. Needless to state, the Appellate Court would consider the miscellaneous appeal on its own merits.

(Ravindra V.Ghuge, J.)