

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

Civil Application No. 16296 of 2015
(In Second Appeal No. 0273 of 2016)

District : Osmanabad

Kamalbai Namdeo Kisve.

.. Applicant

versus

Rafika Suraj Sayyed.

.. Non-applicant.

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Mr. N.L. Jadhav, Advocate, for the applicant.

Mr. A.A. Khan, Advocate, for the non-applicant.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 31ST JANUARY 2019

ORAL ORDER :

01. Present application has been filed for stay to the judgment and decree passed by the learned District Judge-1, Omerga, District Osmanabad, in Regular Civil Appeal No. 07 of 2012, dated 07-03-2015.

02. It is to be noted that the present appellant is the original plaintiff. His suit being Regular Civil Suit No. 15 of 2005 was decreed by the learned Civil Judge (Senior Division), Omerga. However, the said decree has been reversed in appeal. The suit

has been dismissed. Under such circumstance, there is nothing to stay. So also, learned Advocate appearing for the appellant makes a statement that since 07-03-2015, no injunction order is running against the respondent till today. Under such circumstance, there is no necessity to go into this application. The Civil Application is accordingly disposed of.

(Smt. Vibha Kankanwadi)
JUDGE

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