

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

CIVIL APPLICATION NO.12059 OF 2019
IN WP/12235/2019
WITH
WRIT PETITION NO.12235 OF 2019

GANESH RATANLALJI MEHATA
VERSUS
MAHESH BHIKUPANT VAIDYA AND OTHERS

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Advocate for the Petitioner/ Applicant : Shri S.K.Kadam h/f Shri Kadam
Vikram S.

Advocate for Respondents 1 to 3 : Shri V.S.Bedre h/f Smt.A.M.Kulkarni
AGP for Respondent 4 : Shri S.R.Yadav

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 09th October, 2019

Per Court:

- 1 This matter is at a pre-notice stage.
- 2 Leave to place the synopsis on record is granted. Leave to carryout the amendment in the writ petition is granted.
- 3 Considering the above, Civil Application No.12235/2019 is allowed and necessary amendment in the writ petition is permitted to be carried out on or before 18.10.2019.
- 4 Insofar as the writ petition is concerned, issue notice to the respondents returnable on 13.11.2019. The learned advocate waives service for respondent no.2. The learned AGP waives service for

respondent no.4.

5 Since respondent nos.1 to 3 are the real brothers and are together insofar as the issue involved in this writ petition is concerned, the learned advocate for the caveator/respondent no.2, upon taking instructions, waives service for respondent nos.1 and 3.

6 Until further orders, the mutation entries freshly carried out pursuant to the impugned order of the Honourable Minister dated 26.08.2019, shall be maintained as they are and no party shall create third party interest or encumbrances on the suit property, inasmuch as, neither of the parties shall disturb each other's possession as it stands today.

kps

(RAVINDRA V. GHUGE, J.)