

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.4922 OF 2019

Govindrao s/o Vithoba Jadhav
and another

Petitioners

Versus

Venkat s/o Vithal Waigave

Respondent

Mr.A.G.Dalal, advocate for the petitioners.

CORAM : RAVINDRA V. GHUGE, J.

DATE : 07th August, 2019

PER COURT:

1 The petitioners are the appellants before the appellate Court in Regular Civil Appeal No.02 of 2017. They have filed this petition for challenging the order dated 05.12.2017 passed by the appellate Court rejecting the application Exhibit-5 by which the petitioners had sought an interim protection in the nature of staying the judgment and decree of the trial Court.

2 Learned advocate for the petitioners has strenuously criticised the impugned order. He draws my attention to the eight grounds formulated in the memo of the petition and submits that the impugned order is rendered unsustainable.

3 I find that as the impugned order is delivered on 05.12.2017 and the petitioners are without any protection for the past about three years, since the trial Court has decided the suit in November 2016, it would be appropriate to request the appellate Court to decide the pending appeal by the end of this year with a direction to the petitioners to file the appeal paper book expeditiously.

4 In view of the above, this petition is disposed off. The petitioners shall deposit the private appeal paper book before the appellate Court on or before 16th September, 2019. The appellate Court would endeavour to decide Regular Civil Appeal No.02 of 2017 as expeditiously as possible and preferably on or before 31st December, 2019.

RAVINDRA V. GHUGE
JUDGE

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