

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

8 WRIT PETITION NO.2225 OF 2020

VISHNU BAJIRAO WAKALE
VERSUS
BAJIRAO SHANKAR WAKALE THROUGH LRS GAYABAI
RAGHUNATH JADHAV AND OTHERS

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Mr. V.V. Ingle, Advocate for the petitioner.

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CORAM : **Rohit B. Deo, J.**

DATE : 11th February 2020.

ORDER :-

. The petitioner is challenging the order dated 19.12.2019 rendered by District Judge 2, Vaijapur in Regular Civil Appeal 53/2018 whereby the judgment and decree in Regular Civil Suit 412/2004 is stayed till decision in appeal.

2. The decree is of partition and separate possession. In the operative part of the order impugned, Clause - 3 clarifies that the stay order shall not affect anything done prior to the stay order. This presumably is in the context of the submission of the petitioner that pursuant to the judgment and decree of partition, the petitioner is placed in possession of his share.

3. In this view of the matter, I do not see any error in the order impugned.

4. The petition is dismissed.

5. The District Judge 2, Vaijapur is requested to decide the appeal expeditiously and in any event, within six months.

(ROHIT B. DEO, J.)

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