

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**944 SECOND APPEAL NO.33 OF 2021
WITH
CIVIL APPLICATION NO.1011 OF 2021
IN SA/33/2021**

WAMANRAO MAHADEVRAO MANWATKAR DIED LRS.
SHALUBAI KASHINATH DODE AND OTHERS
VERSUS
RAJABHAU WAMANRAO MANWATKAR AND OTHERS

...
Advocate for Appellants : Mr. Aakash D. Gade
Advocate for Respondent No.1 : Mr. S. S. Deshmukh.
...

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 17-02-2021.

OPERATIVE ORDER :

1. Heard both sides.
2. Second Appeal No.33 of 2021 is admitted.
3. Civil Application No.1011 of 2021 is partly allowed.
4. Stay is granted to the effect of operation, execution and implementation, if any, in respect of Judgment and order dated 08-10-2020 in Regular Civil Appeal No.99 of 2014 passed by learned District Judge-2, Ambajogai Dist. Beed, and Regular Darkhast No.06 of 2015, arising out of the Judgment and Decree dated 29-09-2014 passed by

learned Civil Judge Junior division, Ambajogai in Regular Civil Suit No.76 of 2003, to the extent of suit properties i.e. land Gut No.68 admeasuring 3 H 1.5 R, land Gut No.22 admeasuring 20 R at village Salunkwadi and House property in Ward No.11 bearing Grampanchayat House No.38/2 of village Ghatgnandur, (i.e. Clause No. i and ii in the operative order of Judgment in Regular Civil Suit No.76 of 2003 by Joint Civil Judge Junior Division, Ambajogai, dated 29-09-2014).

5. It is clarified that, there is no stay to the partition and separate possession of the other suit properties described in Clause No.3 in the said decree.

Reasons to follow.

**(SMT. VIBHA KANKANWADI)
JUDGE**

vjg/-