

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**32 CIVIL APPLICATION NO.13221 OF 2019
IN SA/14/2013**

ASHA MANOHAR DANSURE AND ORS
VERSUS
KAMALBAI MADHUKAR DANE AND ORS

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Advocate for Applicants : Mr. Sant Kishor C.
Advocate for Respondents No.1,2-a, 2-b, 3 : Mr. A. G.
Godhamgaonkar
Advocate for Respondents No.6, 7: Mr. V. S. Kakde h/f Mr. S. D.
Tawshikar
R/5 Deleted.

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CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 15-11-2021.

ORDER :

1. Heard learned Advocate Mr. K. C. Sant for applicants, learned Advocate Mr. A. G. Godhamgaonkar for respondents No.1, 2-a, 2-b, 3, and learned Advocate Mr. V. S. Kakde holding for Mr. S. D. Tawshikar for respondents No.6 and 7.

2. It can be gathered from the submissions on behalf of the applicants and the prayer in the application that the applicants intend to say that the respondents No.2-a, 2-b and 16 are creating third party interest or they are pressurizing the revenue authorities. The order passed by this Court on 27-01-2016 is brought to the notice, which runs thus :-

- "1. Heard learned counsel for parties.
2. Execution proceedings may go on, however, actual possession shall not be delivered pending

hearing and final disposal of the second appeal.

3. It is expected that parties would not deal with, transfer or create any charge, or third party interest whatsoever over the suit property.

4. Civil application stands disposed of.”

3. It can be seen from paragraph No.3 that this Court has clearly stated that the parties would not deal with transfer or creating any charge, or third party interest whatsoever over the suit property. Further, orders have been pointed out which has been passed by this Court in Civil applications No.462 of 2018 and 459 of 2018 on 12-01-2018 in which also by taking reference to the earlier order dated 27-01-2016 further directions have been given. When all these above orders are in force and any so called violation has taken place then the remedy is elsewhere and not in the form of the prayers in this application.

4. In view of above, the application stands disposed of.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-