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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2967 OF 2021

VANITA SHRIKANT DEVARKAR AND ORS

....PETITIONERS

V/s.

**DATTATRAY GANPAT WAGHMODE
AND ORS**

.....RESPONDENTS

Mr. Prasad B. Kulkarni for the petitioners

CORAM : NITIN W. SAMBRE, J.

DATE: AUGUST 26, 2021.

P.C.:

1] Since at the behest of the petitioner, an Appeal under Order 43 Rule 1(r) of Code of Civil Procedure, 1908 is already preferred before the learned District Court, present petition rightly said to be not maintainable.

2] Writ Petition accordingly stands disposed of. It is clarified that Appeal of the petitioner be decided expeditiously without being influenced by the disposal of this petition.

3] If the petitioner comes out with prayer for grant of interim relief in the said pending appeal, said prayer be decided expeditiously and in any case within period of 4 weeks from the date of such prayer is moved.

[NITIN W. SAMBRE, J.]

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