

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 349 OF 2019****IN****SECOND APPEAL NO. 148 OF 2021**

Shalini @ Shalan Ramrao Ingale & Ors. ... Applicants/Appellants

V/s.

Ashok Baburoa Jare & Ors. ... Respondents

Mr.Ashutosh Kulkarni i/b. Mr.Vaibhav Gaikwad for Applicants/Appellants.
Mr.Nikhil Wadikar i/b. Mr.Nandu Pawar for Respondent Nos.2 & 3.

CORAM : A.S. GADKARI, J.

DATE : 20th October 2021.

PC. :

1. Heard learned counsel for the respective parties.
2. At the outset, learned counsel for the Respondent Nos.2 and 3/Original Defendants, submitted that, the Appellants/Original Plaintiffs along with their mother, had relinquished their rights from suit property described in para No.1C of the plaint, much prior to institution of the suit. He submitted that, proviso to Section 6 of the Hindu Succession Act protects such a disposition effected prior thereto.
3. In view thereof, the effect and implementation of the impugned Judgment and Order dated 15th April 2019 passed in Regular Civil Appeal No. 18 of 2017 is stayed except for the suit property described in para No.1C of

the plaint and more specifically mentioned in para No.3 of the impugned Judgment and Order.

4. Interim Application is accordingly disposed off.

[A.S. GADKARI, J.]

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