

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 CIVIL APPLICATION NO. 4989 OF 2018
IN
SECOND APPEAL NO.1295 OF 2005

SANJIDABI ZIYA UDDIN KAZI (DIED) THROUGH L.RS.
ZIAUDDIN S/O CHIRAGODDIN KAZI AND OTHERS
VERSUS
MOINODDIN ABDUL RAHMAN KAZI and ORS.

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Advocate for Applicants : Mr. S.P. Brahme
Advocate for Respondents : Mr. Jeevan R. Patil h/f Mr. G.B. Rajale
Advocate for Respondents : Mr. A.B. Kadethankar
Advocate for Respondents : Mr. Bharat Pankaj
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CORAM : BHARAT P. DESHPANDE, J.
DATED : 12th AUGUST 2022

PER COURT:-

1. Vide order dated 19.6.2018 this application was heard and order was passed thereby granting stay to the execution proceeding till the decision of the second appeal. However, the application was not disposed of.

2. Heard.

3. Learned counsel for the applicants pointed out that in this application prayers were two fold and since prayer clause "A" is already granted, now prayer clause "B" does not survive. In view of this, the application could be disposed of.

4. Considering the above submissions and the fact that the stay to the execution proceeding is already granted till decision of the second appeal, present civil application stands disposed of.

(BHARAT P. DESHPANDE, J.)

rlj/