

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.6273 OF 2021

ANILKUMAR KACHRULALJI ABAD AND OTHERS
VERSUS
SURAJABAI IKACHRULALJI ABAD AND OTHERS

...

Mr S. S. Kazi, Advocate for petitioners;

Mr S. B. Bakhariya, Advocate for respondent No.1

Mr D. M. Kakade, Advocate for respondent No.2

Mr M. R. Sonawane, Advocate for respondent Nos.3 & 4

CORAM : SMT. BHARATI DANGRE, J.

DATE : 22nd February, 2022

PER COURT:

1. The present writ petition can be disposed of with a direction being issued to the learned District Judge, Jalna, to dispose of the proceedings in Regular Civil Appeal No.11/2020, within a period of one month from today.

2. Pertinent to note that the suit filed by the plaintiffs came to be dismissed and the appeal is filed which is pending before the appellate Court. The present petition is filed being aggrieved by the application filed therein by the appellants, praying for continuation of status quo, which was granted in the form of an order being passed below Exh.5.

(2)

3. Since the application is rejected, the appeal shall be decided on it's merits, since order of this Court, dated 29/04/2021, granted ad interim relief under prayer clause (C), resulting in maintaining status-quo in operation, the said position shall be maintained till culmination of the appeal, which is directed to be decided within one month of.

4. By consent, the parties agree to approach the appellate Court on 01/03/2022 and apprise the Court of the order being passed and request the appeal to be taken up on board and work out the appeal finally.

No further orders are necessary. Writ Petition is disposed of.

(SMT. BHARATI DANGRE, J.)

sjk