

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**942 APPEAL FROM ORDER NO.27 OF 2022
WITH
CA/7230/2022 IN AO/27/2022**

SAU. LANKA RAGHUNATH KOTKAR
VERSUS
SAU. SAVITA RAJENDRA GOLE

...
Advocate for Petitioner : Mr. Kasar Rajendra Sudam
Advocate for Respondent : Mr. V. P. Latange

...
CORAM : ARUN R. PEDNEKER, J.
DATE : 19th October, 2022

PER COURT :

1. The learned District Judge-3, Ahmednagar in Civil Appeal No.23 of 2022 passed the order on 26/04/2022 as under :-

- "1. Application Exh.5 is allowed.
2. Defendants are hereby restrained from obstructing and preventing the plaintiff using Eastern side way to access to their property and approach Southern side road, till pending hearing of the appeal, which is to be expedited within 6 months.
3. The above mentioned order at caption No.1 and 2 will remain in force only for 6 months.
4. Parties to expedite the hearing of the main appeal within 6 months."

2. Aggrieved by the said order, the appellant herein filed the present Appeal from Order in which status-quo was passed by order dated 06/05/2022.

3. The learned Advocate for the appellant submits that there is a direction by the learned District Judge-3, Ahmednagar to expedite the hearing in the main matter within six months. Let the said appeal be decided two months from today.

4. The status-quo order passed by this Court on 06/05/2022 will continue till the disposal of the main appeal.

5. The learned Advocate for the respondent submits that there is a sewage pipeline running to the passage which is damaged and the interim order by this Court is affecting the repair of the said pipeline.

6. The respondent is permitted to move an appropriate application before the Trial Court who can verify the ground situation and pass necessary orders as regards the sewage pipeline and repair of the same.

7. In view of the above, the present appeal is disposed off. Pending civil application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.