

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

915 WRIT PETITION NO.7148 OF 2013

**PUSHPAWATI SHRIMANT GIRI AND ANOTHER
VERSUS
MARUTI VITHAL MALI**

...

Advocate for Petitioners:
Mr. Jadhavar Shivprasad G.
Advocate for Respondent/Sole:
Mr. R. D. Biradar

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CORAM: S. V. GANGAPURWALA, J.

DATE: 13th JANUARY, 2022

PER COURT:

1. The present Petition is filed against the order passed in the Miscellaneous Civil Appeal No.52 of 2011, thereby dismissing the Appeal and confirming the order passed by the Trial Court below Exhibit-5.

2. After the Appeal was dismissed, the Petitioner filed an Application below Exhibit-22 in Miscellaneous Civil Appeal No.52 of 2011. The Court directed maintenance of *status-quo* till the Appeal period is over.

3. This Court under order dated September 05, 2013 continued the said order of the District Court. The said order is still in force.

4. It is submitted that the evidence of Plaintiffs is complete.

5. Mr. Biradar, the learned Counsel submits that the application is filed for the measurement by the parties. The same is pending before the Trial Court.

6. The order passed by the District Court directing parties to maintain the situation and the position of the suit property i.e., 2 feet width strip i.e., open space etc. is in force.

7. The said order shall be in force till the disposal of the Suit pending between the parties.

8. The Trial Court considering that the Suit is old one shall endeavour to decide the Suit expeditiously and preferably within six (06) months.

9. The Writ Petition is accordingly disposed of. No costs.

[S. V. GANGAPURWALA, J.]

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