

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

**953 APEAL FROM ORDER NO.43 OF 2021
WITH
CA/12991/2021 IN AO/43/2021**

**AMEER KHAN DIED THROUGH LRS JAINABEE AMEER KHAN AND
ORS
VERSUS
PRAMODKUMAR JAMNALALJI KASLIWAL AND ORS**

...
Advocate for Petitioners : Mr.Bhandari Anand P.
Advocate for Respondent Nos. 1 & 2 : Mr.Amol S. Gandhi
...

CORAM : RAJESH S. PATIL, J.

DATE : 15.11.2022.

PER COURT :

1. This Appeal from Order is filed by the Decree Holder challenging the order passed in Regular Civil Appeal 75 of 2021 arising out of the execution proceedings. It is a case of the appellants Decree Holder that pursuant to the decree passed by the Court, the decree was executed and by the impugned order the appellate Court has granted injunction against them not to create third party interest.

2. The learned Counsels for the parties fairly states that suffice will be the purpose if the RCA No. 75 of 2021 is heard expeditiously by the District Judge -3, Aurangabad and in the mean time the impugned order dated 03rd August, 2021 passed by the

District Judge -3, Aurangabad in order below Exh. 5 be continued.

3. Hence the Appeal from Order is disposed of with following order :

ORDER

- a. Parties to appear before the District Court -3, Aurangabad on 21.11.2022 in the Morning Sessions at 10.30 a.m.
- b. The District Judge -3, Aurangabad will make all efforts to dispose of the RCA No. 75 of 2021 within a period of three months from today.
- c. The impugned order will continue for a period of three months from 21.11.2022.
- d. The Appeal from Order is accordingly disposed of.
- e. Pending Civil Applications, if any, are also disposed of.

**(RAJESH S. PATIL)
JUDGE**

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