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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 9392 OF 2021

INDIAN OIL CORPORATION LTD.

....PETITIONER

V/s.

WAMAN PANDURANG SALVE SINCE DECDRESPONDENTS
AND OTHERS

Ms. Tanmayi Gadre a/w Mr. Sunil Gargan, Shalaka Chamboowala i/b
RMG Law Associates Advocate for the Petitioner
Mr. Aseem Naphade i/b Mr. Swapnil V. Newaskar for Respondent nos.
1 & 2

CORAM : NITIN W. SAMBRE, J.

DATE: APRIL 6, 2022.

P.C.:

1) Learned counsel for Respondent on instructions concedes that the Petitioner-Defendant can be permitted to carry out repairs as prayed in Exh. 236, particularly as reflected in para 6 (i) to 6(iii) of the said Application Exh. 236.

2) In that view of the matter, order impugned dated 21/09/2021 passed by the Court of Civil Judge Senior Division, Nashik passed

below Exh. 236 is set aside and Application Exh. 236 stands allowed in above terms. Needless to clarify that Petitioner shall not be claiming any equities based on aforesaid order or concession given by Respondent.

3) I am informed that already there exist order expediting the Suit proceedings. Trial Court is expected to take the said order to its logical end.

[NITIN W. SAMBRE, J.]