

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CIVIL APPLICATION (CAS) NOS. 403 OF 2020**  
**IN SECOND APPEAL NO. 252 OF 2012**

Shri Manikrao Waghdhare V/s Shri Krishnarao Waghdhare (deceased) thr. L.Rs Smt  
Chandrabhagabai wd/o Krishnarao Waghdhare (dead) and others.

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| Office Notes, Office Memoranda of Coram,<br>appearances, Court's orders of directions<br>and Registrar's Orders. | Court's or Judge's orders. |
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Shri N.A. Vyawhare Advocate for Applicant/Appellant.  
Shri Dhage, Advocate for Respondent Nos. 1, 8 to 11.

**CORAM: S.M. MODAK, J.**  
**DATE : 07/06/2022.**

Heard both the sides.

2. There is a request to injunct the respondents from carrying out construction on the suit property and from creating third party interest. So far as request not to create third party interest is concerned, already there is ad-interim relief granted till appearance of respondents, as per the order dated 11.09.2013. It was continued during the pendency of the appeal as per the order dated 21.10.2016.

3. So far as the second prayer about construction is concerned, at present the appellant do not want to press that prayer in view of the averments in the reply

filed by the respondents.

4. In view of that, this application is disposed of.

5. The appellant is at liberty to file fresh application if the need arises.

6. Matter be kept on **third week of July, 2022** for final hearing.

**JUDGE**

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