

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

APEAL FROM ORDER NO.26 OF 2023
WITH CA/5353/2023 IN AO/26/2023

1. Bashir Ahmad s/o. Mahammad Ibrahim Khureshi,
Age 63 years, Occu. Business,
2. Muneer s/o. Bashir Ahmad Khureshi,
Age 41 years, Occu. Business,

Both R/o. Jalkot Road, Udgir, Tq. Udgir,
Dist. Latur

.. Appellants
(Original Plaintiffs)

Versus

1. Iftekhar s/o. Mohammad Isaq Shaikh,
Age 60 years, Occu. Business,
2. Pyare s/o. Iftekhar Shiakh,
Age 26 years, Occu. Business,
3. Bilal s/o. Iftekhar Shaikh,
Age 23 years, Occu. Business,

All R/o. Shirur Tajband, Tq. Ahmedpur,
District Latur

.. Respondents
(Original Defendants)

Mr. Milind M. Patil (Beedkar), Advocate for Appellants
Mr. Shaikh Mujtaba Gulam Musafa, Advocate for Respondents

CORAM : S. G. MEHARE, J.

DATE : 30-10-2023

PER COURT :-

1. Heard the learned respective counsels for the parties.

2. Present appellants have filed a suit for specific performance of contract. Alongwith suit, they have filed application for temporary injunction restraining the defendants from creating third party interest over the suit property. The learned trial Court denied the injunction as prayed.

3. After having an interaction with the learned respective counsels and the respondents present in the Court, it has been suggested that instead of passing any injunctive order, the liberty be granted to the respondents enjoy the property subject to leave of the Court. Both parties agreed that if the defendants want to deal with the suit property by way of transfer in the mode and manner, they shall seek leave from the Court according to law.

4. In view of the above agreement, the appeal stands disposed of.

5. Pending civil application stands disposed of.

(S. G. MEHARE)
JUDGE

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