

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

APPEAL FROM ORDER NO.43 OF 2018

SHAMSUNDAR RAMNARAYAN BAHETI AND OTHERS
VERSUS
OMPRAKASH RAMNARAYAN BAHETI AND ANOTHER

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Mr. M. R. Sonwane, Advocate for the Appellants.
Mr. B. A. Darak, Advocate for the Respondents.

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CORAM : R.M. JOSHI, J

DATE : MARCH 15, 2023

PER COURT :

1. This appeal is filed against the order dated 23.03.2018 passed below Exhibit 5 in Special Civil Suit No. 145/2016 by 7th Joint C.J.S.D., Ahmednagar whereby by the defendant or any person, claiming under them in any manner are restrained from creating any third party interest in the suit properties, till disposal of the suit.

2. Learned Counsel appearing for both sides state that the trial has already begun and recording of evidence is in progress. According to them, the suit itself can be disposed of expeditiously.

3. Learned Counsel for the Respondents makes statement that the plaintiff also shall not create any

3rd party interest in the suit properties till the disposal of the suit. In view of the statement, the apprehension of the defendants are taken care of.

4. Considering the fact that the trial has already begun, the learned Trial Court is requested to conclude the trial as early as possible and in any case within one year from today.

5. Appeal stands disposed of in aforesaid terms.

(R.M. JOSHI, J.)