

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

**920 CIVIL APPLICATION NO.11193 OF 2022
IN SA/530/2022 WITH SA/530/2022**

**KHAARVEL PARAKH
VERSUS
CHANCHALBAI PRAFULCHAND NAHAR AND ORS**

Mr.A.S. Bajaj, Advocate for the applicants.

Mrs.Manjusha Sevekar, Advocate for the respondents.

**CORAM : KISHORE C. SANT, J.
DATED : 04.11.2023**

PC :-

01. This matter was heard on various occasions. This Court had also requested the parties to explore the possibilities of settlement. However, till today no possibility of settlement is seen. This Court had already expressed on last occasion that this Court is inclined to pass interim order. In view of the same the application is partly allowed. By order dated 21.11.2022 interim relief is already granted in terms of prayer clause (F).

02. Thus, the Civil Application is allowed in terms of prayer clause (C) and alternative prayer clause (D) of this application. Alternative prayer clause (D) reads as under :-

“Pending hearing and final disposal of second appeal, the Applicant along with other Allottees may kindly be permitted to complete the balance of work up to second floor without prejudice to their rights and on completion, Occupancy Certificate may kindly be granted to them to that extent by Dhule Mahanagarpalika.”

. It is made clear that anything done in between shall be subject to outcome of the Second Appeal. It is further made clear that whenever signatures of the respondents are required, the respondents shall give the signatures on the documents to carry out necessary work in respect of the building.

03. The Civil Application stands disposed off.

[KISHORE C. SANT, J.]