

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

**CIVIL APPLICATION NO. 11425 OF 2023
IN SA/95/2022**

**BABURAO NIVRUTTIRAO BANDGAR AND ORS.
VERSUS
GANGADHAR BABUAPPA SANKAYE AND ANOTHER**

Mr.S.V. Natu h/f. Mr. V.V. Bhavthankar, Advocate for the applicants.
Mr.A.N. Sabnis, Advocate for the respondents.

**CORAM : KISHORE C. SANT, J.
DATED : 19.10.2023**

PC :-

01. This Court has admitted the Second Appeal today. It is asserted that the applicants/appellants – original defendants are in possession of the suit property and there cannot be dispute as the suit is for recovery of possession. Since the applicants are in possession, there shall be stay to the execution and operation of the impugned judgment and order pending the Second Appeal.

02. The Civil Application is accordingly allowed and disposed off.

[KISHORE C. SANT, J.]