

Pooja K.

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

APPEAL FROM ORDER NO. 40 OF 2022
WITH
CIVIL APPLICATION NO. 10693 OF 2022
WITH
CIVIL APPLICATION NO. 15950 OF 2022
IN
APPEAL FROM ORDER NO. 40 OF 2022

Vidya Bhalchandra Kulkarni	
@ Vidya Umesh Wadekar	... Appellant
<i>Versus</i>	
The Union of India and Ors.	... Respondents

...

Mr. H.V. Tungar – Advocate for Appellant
Mr. S.W. Munde – Advocate for Respondent Nos.1 to 5
Mr. Ajinkya Kale h/f. Talekar and Associates in Civil Application
No.15950 of 2022

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CORAM : GAURI GODSE, J.
DATE : 8th February, 2023

PER COURT :

1. This Appeal From Order was filed as the application of the original plaintiff filed at exhibit-107 was rejected. This application was filed for directing respondents to maintain status-quo with respect to suit property during the pendency of the application for temporary injunction filed at exhibit-5.

2. By order dated 21st July, 2022 this court directed that, the status quo with respect to suit property shall be maintained. That order has continued till today.
3. Learned counsel for appellant states that, application for adding third party, as party defendant in the suit is pending before the trial court. The learned counsel for appellant needs to file his say to the application filed by the third party. Learned counsel for the third party, on instructions states that, application for adding third party as party defendant is allowed on 7th February, 2023. Learned counsel appearing for the appellant/plaintiff states that, he has no instructions with respect to same.
4. In such circumstances, Appeal From Order is disposed of by passing following order :
 - a. appellant will file say/reply within two weeks from today to the application filed by the third party, if the application is not yet decided.
 - b. application at exhibit-5 filed by the appellant will be decided by the learned trial judge as expeditiously as possible.
 - c. order of status-quo granted by this court on

21st July, 2022 will continue for a period of four weeks from today.

- d. appellant / plaintiff is at liberty to file appropriate application before the trial court for extension order of status-quo, if the application at exhibit-5 is not decided within a period of four weeks from today.

- 5. Appeal From Order is disposed of in above terms.
- 6. In view of disposal of Appeal From Order, pending civil applications stand disposed of as infructuous.
- 7. It is made clear that parties will not seek unnecessary adjournment in the trial court. Needless to record that, contentions of all the parties are kept open.

[GAURI GODSE]
JUDGE