

VRJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1171 OF 2023

VAIBHAV
RAMESH
JADHAV
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Vishnu Nivrutti Gaikwad Since Deceased
Through His Legal Heirs and Ors. ... Petitioners

V/s.

Ramdas Vishnu Gaikwad & Anr. ... Respondents

Mr. Rajaram V. Bansode for the petitioners.

Mr. Dilip Bodake for respondent Nos.1 and 2.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 13, 2023

P.C.:

1. The impugned order is passed under Order 41 Rule 19 of the Civil Procedure Code, 1908. Order 43 Rule 1(t) provides for appeal from order. Hence, the writ petition is dismissed as not maintainable. However, it will be open for the petitioners to file appeal from order.

2. Since this Court by order dated 27th January 2023 protected the petitioners, the said ad-interim relief shall continue for period of two weeks from today.

(AMIT BORKAR, J.)