

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

**APPEAL FROM ORDER NO.116 OF 2018  
WITH  
CIVIL APPLICATION NO.153 OF 2018  
IN  
APPEAL FROM ORDER NO.116 OF 2018**

Amar Narsingh Kadam

....Appellant

Versus

Shekhar Narsingh Kadam & Ors.

....Respondent

...

Mr. Akshay Kapadia for Appellant/Applicant.

Ms. Priya Pervi i/b Mr. M.R. Sherekar, for Respondent Nos.1 to 5.

Mr. Anant Vadgaonkar i/b Ms. Sarita Prabhune, for Respondent Nos.6 and 7.

...

**CORAM : SANDEEP V. MARNE, J.**

**DATE : SEPTEMBER 26, 2023**

**P.C.:**

1. By this Appeal, the Appellant challenges the order dated 26 April 2017 passed by the District Judge-1, Baramati, rejecting the application for grant of stay to the decree dated 30 January 2017.

2 By now period of almost 6½ years has elapsed since passing of the impugned order dated 26 April 2017. Therefore, instead of deciding the correctness of the order dated 26 April 2017 at such distant point of time it would be appropriate that the Appeal itself is taken for hearing.

3 The learned Counsel appearing for the Appellant submits that the Regular Civil Appeal No.41 of 2017 is still pending before the Lower Appellate Court. In that view of the matter, the Appeal is disposed of with a request to the Lower Appellate Court to decide the said Regular Civil Appeal as expeditiously as possible preferably within a period of one year from today.

4 In view of the disposal of the Appeal, the Civil Application also stands disposed of accordingly.

**(SANDEEP V. MARNE, J.)**