



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

60 WRIT PETITION NO. 3120 OF 2023

SHAIKH AFSAR SHAIKH HABIB

VERSUS

FATEMABEE SHAIKH HABIB DIED AND OTHERS

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Advocate for the Petitioner : Mrs. Manjiri Achutrao Kulkarni

Advocate for Respondents No.2, 5 & 7 :

Mr. M. P. Kole h/f. Mr. S. A. Ambad

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CORAM : ARUN R. PEDNEKER, J.

DATE : 12th AUGUST, 2024

PER COURT:

1. Heard.
2. The learned counsel appearing for the respondents fairly submits that the appeal is pending from the year 2016 and that he would argue of the appeal on the next date. He submits that there is already application to bring the legal heirs of the appellant and that the legal heirs are already before the court. As such, the pending appeal be decided as expeditiously as possible.
3. In view of the contentions raised, since the stay order under challenge is passed on 03.08.2022, it is more appropriate to direct the appellate court to decide the pending Regular Civil Appeal No.22 of 2016

within a period of nine (09) months from the date of production of this order.

4. In the event, the appeal is not decided, learned counsel appearing for the petitioner submits that the petitioner may be granted liberty to apply for vacating the interim relief.

Liberty is granted to apply before this court.

5. The writ petition is accordingly disposed of.

[ARUN R. PEDNEKER, J.]

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