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924-sa15.22.odt

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

**CIVIL APPLICATION NO.8369 OF 2022 IN
CIVIL APPLICATION NO. 433 OF 2022 IN
SECOND APPEAL NO. 15 OF 2022**

Pradip Pandurang Kasare & others Applicants

Versus

Pramod Dnyandev Shelar & others Respondents

Mr. Y. R. Shinde, advocate holding for Mr. R. R. Karpe,
advocate for the Applicants

Mr. V. S. Bedre, advocate for Respondents No. 1 to 3

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 12th January, 2024

PC :

Heard rival submissions.

The appellants have filed this application seeking amendment in their original application for stay i.e. Civil Application No. 433/2022.

It appears that the appellants want to incorporate certain subsequent developments in respect of handing over possession of respective shares of the suit property, which are already stayed by the concerned first appellate Court. It

appears that despite such stay, the concerned Tahsildar had directed to hand over the possession. However, such act of the concerned Tahsildar has already been stayed by this Court subsequently and interim relief, to that effect, is still running. Be that as it may. The subsequent facts, as claimed by the appellants, can be brought on record by way of amending Civil Application No.433/2022.

As such, Civil Application No. 8369 of 2022 stands allowed in terms of prayer clause {B} and disposed of. Necessary amendment be carried out within stipulated period.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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Stand over to 09.02.2024.

Interim relief, if any, to continue till then.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb