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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 14923 OF 2024
WITH
INTERIM APPLICATION NO. 17014 OF 2022
WITH
INTERIM APPLICATION NO. 686 OF 2021
IN
SECOND APPEAL NO. 1593 OF 2005

Mainabai Rajaram Shinde @ ... Applicant

Mainabai Manik Rokade

Vs.

Rajaram Mahadeo Shinde since ... Respondent

deceased through LRs

1. Pandurang Rajaram Shinde and Others

WITH

SECOND APPEAL NO. 1593 OF 2005

Rajaram Mahadeo Shinde ... Appellant

Vs.

Mainabai Rajaram Shinde ... Respondent

Mr. R. M. Haridas a/w. Mr. Dilip Shinde for the Applicant.

Ms. Pooja Satpute a/w. Mr. Tushar Sonawane for the Appellant.

CORAM : GAURI GODSE, J.

DATE : 25th NOVEMBER 2024

ORDER :

Interim Application No. 14923 of 2024

1. Learned counsel for the applicant submits that the applicant is

the contesting respondent. He therefore requests that the Second Appeal be added to the final hearing board.

2. Learned counsel for the applicant submits that the applicant be granted liberty to agitate the ground raised in the application at the time of final hearing of the Second Appeal. With this liberty he seeks leave to withdraw this application.

3. Leave granted with liberty as prayed.

4. Interim Application is accordingly disposed of as withdrawn with liberty as prayed.

Interim Application No. 686 of 2021

5. By order dated 17th February 2017 hearing of the Second Appeal is already expedited.

6. I do not see any reason to recall the said order and vacate the interim stay. Hence Interim Application is dismissed.

Interim Application No. 17014 of 2022

7. The Second Appeal is already admitted and the hearing of the Second Appeal is expedited. Prayers in the application cannot be considered by way of interim application.

8. Hence, interim application is dismissed.

Second Appeal No 1593 of 2005

9. Hearing of the Second Appeal is already expedited. Office is directed to verify whether the Second Appeal is ready for final hearing.

10. If the Second Appeal is ready for final hearing, office is directed to add the Second Appeal to the weekly final hearing board commencing from 6th January 2025.

11. If Second Appeal is not ready for final hearing list it under the caption for 'direction' on 9th January 2025.

[GAURI GODSE, J.]