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

INTERIM APPLICATION NO.899 OF 2024

IN

FIRST APPEAL NO.97 OF 2024

Bajirao Sudam Matale (deceased)

through LRs.

1a Smt.Chinkabai Bajirao Matale & Ors. .. Applicants/Appellants

Versus

Tukaram Baban Matale (deceased)

through LRs.

1a Smt. Laxmibai Tukaram Matale & Ors. .. Respondents

WITH

INTERIM APPLICATION NO.17000 OF 2023

IN

FIRST APPEAL NO.1083 OF 2023

Tukaram Baban Matale (deceased)

through LRs.

1A Smt. Laxmibai Tukaram Matale & Ors. .. Applicants/Appellants

Versus

Dattu Sudam Matale (deceased)

through LRs.

1A Bhanudas Dnyanoba Matale & Ors. .. Respondents

Mr.Nilesh Wable for the applicants/appellants in FA/97/24 and for respondent nos.2A to 2EE, 2U, 2UU, 3, 5 to 15, 16 EE and 17 to 25.

Mr.Sumant Deshpande for the applicants/appellants in FA/1083/23.

Mr.Namitkumar Pansare i/by Mr.Drupad S. Patil for respondent nos.1A & 1B.

***CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ.***

DATE : 25th January 2024

PC:-

. In both these applications, the applicants pray that the judgment and decree passed in Special Civil Suit No.196 of 2014 be stayed.

2. Since the plaintiffs are also aggrieved by the decree passed by the Trial Court, insofar as determination of the respective shares are concerned and it is submitted that no execution proceedings have been filed, it is directed that during the pendency of the appeals, the decree as passed shall not be executed. However, all parties to the appeals are restrained from creating any third party rights or alienating the property in their possession. Liberty to apply in case of any contingency.

3. Both the interim applications are disposed of accordingly.

JITENDRA JAIN, J.

A.S. CHANDURKAR, J.