

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 316 OF 2024
WITH
INTERIM APPLICATION NO. 8745 OF 2024
IN
SECOND APPEAL NO. 316 OF 2024**

Kallappa Shantvirappa Patil and ors. ... Appellants/Applicants

VS.

Mallamma Chandrakant Tolnur and ors. ... Respondents

Mr. Ajit V. Alange for the Appellant/Applicant.

Ms. Nidhi Chauhan i/b Vishwanath Patil for the Respondent.

CORAM : GAURI GODSE, J.

DATED : 8th JULY 2024

ORDER:

1. The soft copy is not accessible in view of technical error. Hard copy tendered by the learned counsel for the appellant is taken on record.
2. Learned counsel for the respondent seeks time on the ground that the arguing counsel is in some difficulty.
3. Learned counsel for the appellants submits that this second appeal was urgently circulated as the decree for partition and

separate possession is put to execution.

4. Stand over to 9th September 2024.
5. To be listed under the caption “for urgent admission”.
6. Till next date, the actual handing over of possession is stayed.
7. It is clarified that the partition proceedings to go on. However, stay will operate only to the actual handing over of physical possession.

(GAURI GODSE, J.)