

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2255 OF 2026

Nana Sandu Sonone

VERSUS

Kachru Sandu Sonone And Others

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Advocate for the Petitioner : Mr. Mane Dhananjay A

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : MARCH 04, 2026

PER COURT :-

1. Present petition takes exception to order dated 24.11.2025 passed by Adhoc District Judge-1, Jalna in R.C.A. No.72 of 2025 below Exhibit-8, thereby granting stay to execution of partition decree dated 09.05.2025 passed in R.C.S. No.122 of 2015.

2. Apparently, original defendant nos.1, 5 to 7 in suit have filed appeal raising challenge to decree of partition. The appeal will have to be adjudicated on merit. As long as appeal is pending, decree needs to be stayed. The learned District Judge has recorded sufficient reasons for grant of stay to decree under appeal. However, fact remains that suit was instituted in the year 2015, which has been decided in the year 2025. If parties to proceeding co-operate for disposal of appeal, the learned District Judge can endeavour to dispose it within a shortest period.

(2)

3. Learned advocate appearing for petitioner undertakes to file private paper book. In that view of matter, following order can be passed :

ORDER

- (I) Writ Petition stands rejected.
- (II) The petitioner shall file private paper book containing pleadings and oral evidence of parties within a period of four weeks from today. Once, such paper book is filed, learned District Judge shall endeavor to decide appeal within five months thereafter.

(S.G. CHAPALGAONKAR, J.)