

IN THE COURT OF PRINCIPAL DISTRICT JUDGE, GONDIA.

REG. CIVIL APPEAL NO. 45/2025
(CNR NO.MHGO010009382025)

HIRALAL PATLE+1 -VS- DHAMESHWARI PARTHI & OTH.

ORDER BELOW EXH. 19

(Passed on this 15th day of April, 2026)

Perused application.

2. Heard.

3. It is to be noted that pursuant to order dated 08/09/2025 passed below Exh.9, the parties were directed as regards making factual physical partition and handing over of delivery of possession till appearance of the respondents.

4. Upon conjoint reading of para No.9 & 10 of the said order, it can be seen that the aforesaid status quo was granted subject to the condition that the appellants were directed to bring the LR's of deceased/respondent No.6 on record and further to serve the respondent No.4.

5. Today, learned advocate for appellants has submitted that pursuant pursis filed vide Exh.14, stating that LRs of respondent No.6 are already on record and that formal application has remained to be filed for the purposes of substitution. He has also submitted that though the

respondent No.4 was issued notice at the address as is shown in the impugned decree, the said notice has returned back with a remark 'insufficient address' and therefore matter is listed at the stage of taking steps as against respondent No.4. Learned advocate for appellants has therefore submitted that appellants will file necessary application.

6. However, it is submitted that the revenue authorities have proceeded in the matter under the incorrect assumption that order dated 08/09/2025 passed below Exh.9 is not in force. Hence, this application.

7. On going through the record and proceedings of appeal at hand, I find that appellants are ready to take steps in the matter at hand. In fact, though the respondent No.4 is served at the address as is shown in impugned decree, surprisingly the said notice has returned back with a remark 'insufficient address'. As such, advocate for the appellants has made statement that he will make necessary application in the instant case. In so far as, the deceased/respondent No.6 is concerned, learned advocate for the appellants has submitted that only formal application has remained to be filed in the instant case which he will file on or before next date of hearing. Hence, the following order.

ORDER

Status quo granted in terms of order dated 08/09/2025 passed below Exh.09 to continue till next date of hearing on condition that:

(i) Appellants will take appropriate steps as against unserved respondent No.4.

(ii) Appellants to further take steps to bring LR's of deceased respondent No.6 on record.

- 2 Call say of the respondents No.1 to 3 & 5 on application at hand.
3. Issue notice to respondent No.4 and LR's of respondent No.6.
4. Accordingly, fix this matter on 05/05/2026.

Gondia.
Dated: 15.04.2026.

Sd/-
(A. S. Pratinidhi)
I/c Principal District Judge,
Gondia.