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

**SECOND APPEAL NO.858 OF 2019  
WITH  
CIVIL APPLICATION NO.243 OF 2020  
WITH  
CIVIL APPLICATION NO.244 OF 2020  
WITH  
INTERIM APPLICATION NO.1 OF 2020**

Ramdas Kedu Aher ... Applicant/Appellant

Versus

Motiram Kedu Aher and Ors. ... Respondents

Mr. Milind M. Sathaye for the Applicant/Appellant.  
Mr. Jayendra D. Khairnar for the Respondent No.1.

**CORAM : SMT. SADHANA S. JADHAV, J.  
DATE : 29<sup>th</sup> JANUARY 2020.**

**P.C.:**

1           The learned counsel for the appellant submits that one of the suit properties which is the subject matter of the present second appeal has been put to sale by the Respondent No.1 in favour of Ramesh Baburao Thube, R/o Village Matane, Tal. Deola, Dist. Nashik. The learned counsel has placed implicit reliance upon public notice issued in newspaper 'Dainik Pudhari' dated 22<sup>nd</sup> December 2019. The appellant herein has also verified from Ramesh Thube who has accepted the fact that he has entered into a

transaction with the Respondent No.1. In view of this, the following order needs to be passed :

(i) The Respondent No.1 shall not execute the sale deed or create any third party interest in the suit claim till the next date.

3 Issue fresh notice to Respondent No.3 returnable on 26<sup>th</sup> February 2020. The learned counsel for the appellant shall furnish spare copies within one week from today. In addition private notice is permitted.

**(SMT. SADHANA S. JADHAV, J.)**