

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.19267 OF 2022

WITH

INTERIM APPLICATION NO.20095 OF 2022

IN

FIRST APPEAL NO. 1176 OF 2022

WITH

FIRST APPEAL NO. 1176 OF 2022

Shri Phule Ambedkar Magasvargiy
Grahachana Sanstha Maryadit

...Applicant /
Appellant

Versus

Rekha Mandare & Ors.

...Respondents

Ms. Gayatri Nagarkar, with Suman Khetwal, i/b. Rahul V. Shinde for
the Appellant / Applicant.

Mr. Ajinkya M. Udane, for Respondent No.1 and family members.

Mr. Bharat Gadhavi with Vikrant Khade and Krupanshu Nandu and
Pratik Sabrad i/b Tejas Dande & Associates for the Respondent
No.12A.

Mr. Namit Pansare, i/b D.S. Patil, for Respondent No.14.

CORAM : R.I. CHAGLA J

DATE : 05 December 2022

ORDER :

1. Heard learned Advocate for the Appellant and learned

Advocates for the respective Respondents.

2. Learned Advocates for the respective Respondents state that the Respondents would require to file Affidavit in Reply to the Interim Application which have been taken out by the Appellant in the First Appeal.

3. Interim Application No. 20095 of 2022 is for permission to produce additional evidence which was not part of trial. The other Interim Application being Interim Application No. 19267 of 2022 is for stay of the common order and decree passed by the Trial Court in Special Civil Suit No. 1249 of 2008 in execution till disposal of the First Appeal.

4. In view thereof, the Respondents shall file their Affidavits in Reply to the aforementioned Interim Applications within a period of four weeks from the date of this order.

5. The Appellant is at liberty to file Affidavits in Rejoinder thereto within a period of one week therefrom.

6. Place the Interim Applications on 23rd January 2023.
7. Earlier *ad-interim* order shall continue till the next date.
8. At this stage, learned Advocate appearing for the Appellant has sought leave to amend the First Appeal, as during filing, one of the facts is missed out.
9. Leave is granted.
10. The Appellant shall amend the First Appeal within a period of two weeks from the date of this order.
11. Re-verification is dispensed with.
12. Amended copy of the First Appeal shall be served upon the Respondents simultaneously upon carrying out the amendment in the First Appeal.

[R.I. CHAGLA J.]