

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 11334 OF 2018

**LAXMIBAI SHIVAJI GAWAI AND OTHERS
VERSUS
UTTAM SANTARAM JOGDAND AND OTHERS**

...
Advocate for the Petitioners : Shri A. M. Gholap

...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 11th OCTOBER, 2018.

...

PER COURT :

1. The petitioners are aggrieved by the judgment and order dated 20/03/2018 delivered by the Appellate Court, by which, MCA 6/2015 filed by respondent No.1 has been allowed. The judgment and decree passed by the learned II Joint Civil Judge, Senior Division, Beed dated 07/01/2015 in MCA No. 354/2008 has been set aside and it is further directed that the legal heirship certificate of deceased Tukaram Laxman Gavai be issued in favour of the sole respondent Uttam.

2. Issue notice to the sole respondent returnable on 07/12/2018. Until further orders, the respondent shall not utilize the heirship certificate issued for any purpose

whatsoever and the mutation entries with regard to the property at issue shall not be altered. So also, the litigating sides shall not create third party interest or encumbrances in the said property.

3. Copies of the petition paper book, for issuance of notices, shall be supplied on or before 24/10/2018, failing which this petition shall stand dismissed without reference to the Court on 25/10/2018.

(RAVINDRA V. GHUGE, J.)

shp/-