

**FARAD CONTINUATION SHEET NO.**  
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**BENCH AT AURANGABAD.**

|                                                        |                                          |                                          |
|--------------------------------------------------------|------------------------------------------|------------------------------------------|
| Office Memoranda of appearance, directions and orders. | Notes, of Court's orders and Registrar's | Office Coram, Court's or Judge's orders. |
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CIVIL APPLICATION NO.: 13770 OF 2015  
IN  
SECOND APPEAL NO. 578 OF 2015  
WITH  
SECOND APPEAL NO.: 578 OF 2015

KACHRU MURLIDHAR CHAKKE AND OTHERS  
VERSUS  
PARIGHABAI PANDURANG DEVKATE

...  
Advocate for Appellants : Mr. Deshmukh Sachin S.  
Advocate for Respondent/ Caveator: Mr. K. M. Nagarkar.  
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**CORAM: T. V. NALAWADE, J.**  
**DATED: 27th OCTOBER, 2015.**

**PER COURT:**

1. Learned counsel for the Appellants argued for interim relief by submitting that he has received notice for delivery of possession from Revenue Authority. He was heard only for interim relief. Other side is present.
2. It appears that the plaintiff, sister of the Appellant will get around 4 to 5 Acres of agricultural land from Kopargaon Tahsil if there is equitable partition. Considering the crops which are being taken in that area,

it can be said that per year income of this portion will be certainly around Rs.10,000/-. The suit was filed in the year 2008 and so for granting the stay to the execution this Court holds that at least an amount of Rs.70,000/- needs to be deposited in the trial Court by the Applicants, within a period of 4 weeks from today. If the amount is not deposited the execution of the decree is to go on to the fullest satisfaction. In those terms, application is allowed and disposed of.

3. It is made clear that if the demarcation of the shares is not made, that can go on.

4. List the main matter for admission purpose on 2<sup>nd</sup> December, 2015.

5. Call R. & P. from the trial Court and first Appellate Court.

**[T. V. NALAWADE, J.]**

Dt.27/10/2015  
ans/13770