

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1719 OF 2013****IN****SECOND APPEAL NO. 726 OF 2013****Sambhaji Narasu Jadhav****..... Applicant****VERSUS****Maruti Narasu Jadhav & Ors.****..... Respondents**

Ms.A.R.S.Baxi for the Applicant.

Mr.Joshoa Barges, i/b.Mr.Amit Sale for Respondent No.1.

CORAM : R.D. DHANUKA, J.**DATED : 20th NOVEMBER, 2015****P.C.**

By this civil application, the applicant seeks stay of the execution, implementation and further proceedings pursuant to the judgment and decree passed by the Principal District Judge, Sangli in RCA NO.192 of 2005. This court has granted time to file affidavit in reply to the respondents. No affidavit in reply is filed till date. Rule was granted in this civil application on 19th December, 2013.

2. By a separate order passed by this court, second appeal has been already admitted on the subsequent case of law referred in the order dated 19th December, 2013.

3. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clause (a). No order as to costs.

4. It is however made clear that the execution proceedings can be proceeded with however possession shall not be parted with.

[R.D. DHANUKA, J.]