

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1053 OF 2015****IN****SECOND APPEAL NO. 491 OF 2015****Jagrut Natvar Dave & Anr.****..... Applicants****VERSUS****Bhalchandra Kalu Kini & Ors.****..... Respondents**

Mr.Arun H.Palekar for the Applicants.

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

Learned counsel appearing for the applicants states that the respondents are served. None of the respondents are present in court. No affidavit in reply is filed.

2. By this civil application, the applicant seeks stay of the effect and operation of the judgment and decree dated 27th March, 2015 passed by the learned District Judge Thane. By a separate order passed by this court on 20th August, 2015, Second Appeal No.491 of 2015 has been admitted on the substantial questions of law. By a separate ad-interim order dated 20th August 2015 passed by this court in by this civil application, this court has stayed clauses 5 and 6 of the impugned order and decree dated 27th March, 2015 passed by the learned District Judge. No affidavit in reply is filed. For the reasons recorded in the civil application, civil application is made absolute in terms of the ad-interim order dated 20th August,2015. No order as to costs.

[R.D. DHANUKA, J.]