

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2696 OF 2014
IN
FIRST APPEAL NO.1021 OF 2014**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. Manoj Vishwakarma i/by MKV Juris for the Applicants.

Mr. V.R.Kasle i/by Ram & Co. for the respondent.

CORAM : K.K.TATED, J.
DATED : 14th JANUARY, 2015

PC:

1 Heard learned counsel for the parties.

2 This application is preferred by the original defendants for stay of operation and implementation of the impugned decree dated 19.9.2013 passed by the Joint Civil Judge, Senior Division, Nashik in Special Civil Suit No.161 of 2013.

3 Learned counsel for the applicants submits that pursuant to the order passed by

this Court, they have already deposited entire decretal amount in the trial Court. He further submits that this Court (Coram: Mrs. Mridula Bhatkar, J.) by an order dated 10th December, 2014 directed trial Court to invest entire amount in fixed deposit of any nationalized bank till further orders.

4 Considering the submissions made by the learned counsel for the applicants and averments made in the application, I satisfy that the applicants have made out case for allowing this civil application. Hence, the following order:

(a) Civil application is allowed in terms of prayer clause (a), which reads thus:

“(a) That this Hon'ble Court be pleased to stay the effect and operation of the judgment dated 19.9.2013, till the final hearing and final disposal of the appeal.”

(b) Amount invested by the trial Court as per order dated 10th December, 2014 to continue till further orders from this Court.

5 Civil application, accordingly, stands
disposed of.

(K.K.TATED, J.)