

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

WRIT PETITION NO.2647 OF 2015

Jayant Family Trust and others

.. Petitioners

Versus

Mrs. Taradevi Udayraj Pandey and others

.. Respondents

Shri. A. M. Khandekar i/by M/s. Tamhane & Co., for the Petitioners.

CORAM : R.M. SAVANT, J.

DATE : 11th DECEMBER, 2015

PC.

1. The order dated 2nd September 2014 rejecting the application Exh.7 filed for stay of the decree passed by the Trial Court on 30.09.2013 in RAD Suit No.518 of 2000 is taken exception to by way of the above Petition. The stay application is rejected on the ground that by the decree passed by the Trial Court only declaratory reliefs have been granted and hence there is no executable order. In my view, having regard to the nature of the decree passed by the Trial Court, the rejection of the application Exh.7 by the Appellate Bench of the Small Causes Court cannot be found fault with, no case for interference in the Writ Jurisdiction of this Court is made out. The Writ Petition is accordingly dismissed.

[R.M. SAVANT, J]