

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 1975 OF 2014
 Vyankatesh Devidas Upadhye Vs. Shrikant Wasudeorao Sohoni

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 Office Notes, Office Memoranda of Coram,
 appearances, Court orders or directions
 and Registrar's orders

Court's or Judge's Order

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 Shri A. Shelat Adv for petitioner.
 Shri S. D. Khatri Adv for respondent.

CORAM: A. S. CHANDURKAR J.

DATED: JUNE 17, 2015.

Challenge in the present writ petition is to the order passed by the appellate Court rejecting the application moved by the present petitioner for staying the direction issued by the trial Court fixing standard rate of Rs. 3000/- per month. While issuing notice this Court had recorded willingness of the petitioner to deposit sum of Rs. 3000/- per month in the trial Court from the date of the order passed by it. The appeal filed by the present petitioner is admittedly pending. Without prejudice to the respective rights and contentions of the parties, the petitioner shall continue to deposit an amount of Rs. 3000/- per month during pendency of the appeal in terms of interim order dated 22.04.2014. It is clarified that this deposit is without prejudice to the rights of the parties and the appellate Court shall decide said appeal without being influenced by continuation of the interim direction. The decree passed by the trial Court shall remain stayed on continuation to compliance of aforesaid directions. Writ Petition is disposed of with aforesaid directions. No costs. Civil Application also stands disposed of.

JUDGE