

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.6059/2014

Chief Executive Officer, Zilla Parishad, Amravati and another

..Versus..

Kulswamini Samajik Va Gramin Vikas Bahuuddeshiya Sanstha and another

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 8.5.2015

Heard Shri J.B. Kasat, the learned advocate for the petitioners,
Shri S.J. Kadu, the learned advocate for respondent no.1

The petitioners/defendants take exception to the order passed
by the District Court rejecting the application filed by the petitioners
praying that the execution of the judgment and decree passed by the
trial Court be stayed.

The petitioners are seeking stay to the execution of the money
decree passed by the trial Court directing the petitioners and the
respondent no.2 to pay Rs.35,500/- with interest. The learned trial
Judge has rejected the application on the ground that the petitioners
have not been able to make out any case for grant of stay to the
execution of the money decree. The impugned order does not suffer

from any patent illegality or irregularity which necessitates the interference by this Court in the extraordinary writ jurisdiction. The writ petition is dismissed with costs quantified at Rs.1,000/- (Rs. One Thousand Only) to be paid by the petitioners to the respondent no.1, failing which the District Court shall pass appropriate orders considering it to be non-compliance of the order passed by this Court.

The petitioners have deposited Rs.15,000/- before the District Court. The District Court shall pass appropriate orders in the matter after hearing the concerned parties.

JUDGE

Tambaskar.