

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

Writ Petition No.6078 of 2014

(Rambhau s/o Kashinath Barve and others v. Surendra Kisanrao Utale  
(Deceased), through LR.s. Smt. Sumanbai wd/o Surendra Utale, and others)

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

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Shri Harshavardhan Dhumale, Advocate for Petitioners.  
Shri Abhay Bhide, Advocate for LR.s. 1(i) to 1(vi).

**Coram : R.K. Deshpande, J.**

**Dated : 23<sup>th</sup> February, 2015**

The challenge in this petition is to the common order dated 25-7-2014 passed by the Trial Court in R.D. No.03 of 2011 rejecting the application for stay to the proceedings of execution. The Trial Court has held that the issue of ownership of the property is already concluded in the second appeal and hence there is no reason to stay the proceedings under Order XXI, Rule 29 of the Civil Procedure Code.

No interference is called for in the impugned order. The petition is dismissed.

None of the observations made in the order impugned or in this order shall come in the way of the parties while adjudicating the matter finally by the Trial Court.

Judge.

Lanjewar