IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.3282/2014 IN SECOND APPEAL NO.212/2014

KHEMRAJ MURLIDHAR JADHAV
VERSUS
SUNIL MISHRILAL JAIN
WITH
CIVIL APPLICATION NO.3334/2014 IN SECOND APPEAL NO.221/2014

DNYANESHWAR MURLIDHAR JADHAV
VERSUS
SUNIL MISHRILAL JAIN
...
Advocate for Appellants : Mr. Salunke V.D.
Advocate for Respondents : Mr. Patil Paresh B.

CORAM : T. V. NALAWADE, J

DATE : 28th April, 2016

PER COURT :

1. This court has admitted both the appeals by making some observations. However, the fact that in both the cases the defendants have not disputed that amount was paid by the plaintiff for execution of documents cannot be ignored. The documents were executed in the year 1994. In view of this circumstance, this court holds that for getting the stay to the execution of judgments and decrees, the original defendants need to deposit some amount in this Court.

2. This Court holds that in Second Appeal No. 212/2014, the appellant needs to deposit an amount of Rs.50,000/- and in Second Appeal No.221/2014 appellant needs to deposit Rs.38,000/-. The amount is to be deposited within one month from today.

3. If the amount is not deposited, there will be no stay to the execution of judgment and decree and execution can go on for its fullest satisfaction.

4. The applications are allowed and disposed of in the above terms.

(T. V. NALAWADE, J.)

JPC