

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**940 CIVIL APPLICATION NO. 9046 OF 2016
IN
SAST/19689/2016**

YAMUNABAI ASHOK MADANE

VERSUS

**BHAGANBAI MADHAVRAO KHARE
AND ANR**

.....

Mr. G.J.Karne, Advocate for Applicant.

.....

CORAM : T.V.NALAWADE, J.

DATE : 29th JUNE, 2016

ORAL ORDER :-

. Heard learned counsel for the applicant.

2. Seen the Judgment and decree of the trial Court and first appellate Court. It appears that the present appellant/original defendant did not appear in the appeal and the Appeal was contested in absence of the present appellant. It is the case of the appellant that since 1988, appellant is in possession under agreement of sale and all the documents were handed over to him by the son of the plaintiff. The Suit was filed for possession and property is

within CIDCO area.

3. In view of these circumstances, stay to the execution of the decree is granted subject to deposit of ₹ 25,000/- [Rupees Twenty Five Thousand] in the Court within one month from today.

4. The application is disposed of in those terms.

[T.V.NALAWADE, J.]