

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

922 CIVIL APPLICATION NO. 9868 OF 2016
IN SAST/20431/2016 WITH CA/9869/2016 IN SAST/20431/2016

YAKUB KADARBHAI PATHAN DIED ROSHANBI AND ORS
VERSUS
NASIR KADAR PATHAN DIED KULSUM AND ORS

...
Advocate for Applicants : Ambetkar Arvind G

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CORAM : T.V. NALAWADE, J.
DATED : 15th July, 2016.

ORDER :

1. Notice in delay condonation application, made returnable on 26.8.2016.
2. The learned counsel for applicant is heard on stay application. Considering the delay of 1740 days caused in filing the appeal and considering the fact that plaintiffs together will get atleast 1/2 share in 95 R. portion, if they succeed, this Court holds that conditional stay can be granted. If the amount of Rs. 40,000/- is deposited within three weeks from today, there will be stay to the execution of judgment and decree. If the amount is not deposited, it is to be presumed that there is no stay and the execution can go on to the fullest satisfaction of the decree. In those terms the application for stay is allowed and disposed of.
3. Call record and proceeding.

[T.V. NALAWADE, J.]

ssc/