

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO.35736 OF 2015

Sabina Mohamed Yusuf Shaikh

.. Petitioner

Versus

Fatima W/o Zaheer Abbas Rizvi

.. Respondent

Mr. M. S. Singh, for the Petitioner.

Mr. A. N. Nasikwala, for the Respondent.

CORAM : R.M. SAVANT, J.

DATE : 6th JANUARY 2016

PC.

1. The above Petition filed under Article 227 of the Constitution of India seeks stay to the execution of decree which has been passed by the Trial Court. It appears that the Appeal has been filed by the Petitioner along with an application for stay and application for condonation of delay. In the application for condonation of delay, notice has been issued by the Lower Appellate Court. Hence, without the application for stay being decided by the Lower Appellate Court, the Petitioner has rushed to this Court by way of the above Writ Petition. The Petition is therefore thoroughly misconceived, and is accordingly dismissed.

[R.M. SAVANT, J]