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

**CIVIL APPLICATION NO.11171 OF 2011
IN
SECOND APPEAL NO.480 OF 2011**

Anna Narayan Yede

..APPLICANT

VERSUS

Tolabai w/o Gorakhnath Kadam & ors. ..RESPONDENTS

Mr G.K. Naik Thigle, Advocate for applicant;

Mr V.D. Sonawane, Advocate for respondents no.1 to 3

CORAM : N.W. SAMBRE, J.

DATE : 19th July, 2017

ORAL ORDER

Heard.

2. This application is for grant of stay to the impugned judgment and decree passed by the lower appellate court on 18th April, 2010 in Regular Civil Appeal No.154 of 2007.

3. It is not in dispute that pursuant to the consent extended by the legal representatives of Dulba who was original owner of the suit property and sale deed was executed in favour of the appellant on 1st June, 1978 since when he is uninterruptedly in possession of the property.

4. Second Appeal against the judgment and decree of the lower appellate court is already admitted. In view thereof, in my opinion, a case

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for stay is made out. Civil Application stands allowed in terms of prayer clause (B).

(N.W. SAMBRE, J.)

amj