

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 507 OF 2017

IN

SECOND APPEAL NO. 460 OF 2017

Sou. Minakshi Ravindra Zadbuke & Ors.

... Applicants

vs.

Ravindra Baburao Zadbuke and others

...Respondents

Mr. S.P. Raje Pandare, instructed by Mr. J.S. Yadav for the Applicants.

Mr. P.S. Dani, Senior Advocate, along with Mr. Ajay Joshi, for Respondent Nos. 2 to 4.

CORAM: S.J. KATHAWALLA, J.

DATE: 22nd August, 2017

P.C.

The above Second Appeal No. 460 of 2017 was dismissed on 29th June, 2017. On 30th June, 2017, the Learned Advocate appearing for the Appellants made an application and submitted that the Respondents be restrained from executing the order passed by the Appellate Court for some time. The Advocates for the Respondents were orally directed by this Court that they should not proceed with the execution proceedings for a period of two weeks from the date of uploading of the reasoned order of dismissal. However, the Advocate for the Appellants on two occasions informed the Court that despite the said direction, the Respondents are trying to

execute the order of the first Appellate Court. In view thereof, on 24th July, 2017, this Court passed the following order:

"Until the reasoned order of dismissal is uploaded by this Court and for a period of two weeks thereafter, the Respondents shall not take any action in execution pursuant to the judgment and decree dated 23rd December, 2016 passed by the Ld. Ad-Hoc District Judge-2, Pandharpur in R.C.A. No. 119 of 2013."

2. The reasoned order of dismissal has been uploaded today i.e. 22nd August, 2017. In view thereof, the Respondents shall not take any action in execution pursuant to the judgment and decree dated 23rd December, 2016, passed by the first Appellate Court upto 5th September, 2017. The Civil Application is disposed off.

(S.J. KATHAWALLA, J.)