

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 924 OF 2017
IN
SECOND APPEAL NO. 394 OF 2017

Krishnabai Babya Navale ... Applicant / Appellant

Versus

Savitri Shankar Gharat and Ors. ... Respondents

Mr. Bharat Joshi for the Applicant / Appellant.
Mr. Kishor Tembe for Respondent Nos. 2 to 10.

CORAM : S.J. KATHAWALLA, J.
DATED : 29TH SEPTEMBER, 2017

P.C.:

1. Heard the learned Advocates appearing for the Applicant / Appellant and Respondent Nos. 2 to 10.
2. Pending the hearing and final disposal of the above Second Appeal, the Applicant / Appellant through his Advocate undertakes to file with the Registry the annual accounts showing the income earned from the Suit property and further undertakes not to sell, alienate, encumber, part with possession and / or create third party rights in respect of the Suit property. The undertakings are accepted. The accounts for the year 2017 shall be filed on or before 31st January, 2018 and thereafter on or before 31st January of every subsequent year.
3. In view thereof, the above Civil Application is allowed in terms of prayer

Clause (a), which is reproduced hereunder :

“Pending admission or pending the hearing and final disposal of this Second Appeal, the implementation and enforcement of the impugned Judgment and Decree dated 21st January, 2017 in Appeal No. 62 of 2006 of District Judge, Raigad at Alibag and impugned Judgment and Decree dated 8th February, 2006 in RC Suit No. 50 of 2002 by Civil Judge, Junior Division, Urban be stayed.”

4. The above Civil Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)