

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1802 OF 2017
IN
SECOND APPEAL NO.868 OF 2017**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. M.M.Sathaye i/b Mr.Sanjay P. Shinde for the applicant

CORAM : K. K. TATED, J.

DATE : DECEMBER 13, 2017

P.C.:

1. Heard.
2. This application is preferred by original defendant for stay of the operation and implementation of the judgment and decree dated 21.1.2012 passed in Special Civil Suit No.176 of 2008 by the learned Second Jt.Civil Judge Sr.Division, Satara and order dated 10.3.2017 passed by learned Adhoc District Judge-2, Satara in Regular Civil Appeal No.122 of 2012 during the pendency of the present Second Appeal.
3. The learned counsel for the applicant submits that in the present proceeding by impugned judgment and decree, the Trial Court directed applicant defendant to execute the

Registered Agreement for sale in respect of the suit property accepting Rs.3,61,000/- in favour of respondent plaintiff. He submits that if stay is not granted, respondent may move for Execution Application for executing the sale deed in his favour. Hence, in the interest of Justice, this Hon'ble Court be pleased to stay the operation and implementation of both the orders pending the hearing and final disposal of the present Second Appeal.

4. Considering the submissions made by the learned counsel for the Applicant and the question of law involved in the Second Appeal, following order is passed:

- a) Rule.
- b) Rule made returnable after 12 weeks.
- c) In addition to usual mode of service, Applicant is permitted to serve Respondents along with entire proceedings by private notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect.
- d) Till next date, parties are directed to maintain status quo as of today.

(K.K.TATED, J.)