

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1596 OF 2015
IN
SECOND APPEAL NO.743 OF 2015**

Javid Abdul Maniyar And Ors. ...Applicants
vs.
Shaikh Ajij Dadamiya Shaikh ...Respondent

....

Mr. Sumit Kothari, for the Applicants.

Mr. Vivek V. Salunkhe, for the Respondent.

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CORAM : S.C. GUPTE, J.

DATED : 17 MARCH 2017

P.C. :

. Heard learned Counsel for the parties.

2. This Civil Application seeks stay of the execution of the impugned judgment and decree. The Second Appeal is admitted on a substantial question of law. There is ad-interim stay operating in the Civil Application. Learned Counsel for the Respondent opposes the application. Since the impugned decree requires the Applicants / Appellants to remove encroachment and handover possession of the suit property to the Respondent and the Second Appeal is admitted on a substantial question of law, the Applicants' possession of the suit property needs to be protected. The Civil Application is allowed in terms of prayer clause (a).

(S.C. GUPTE, J.)