

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (S) NO.371 OF 2017
IN
SECOND APPEAL NO.462 OF 2013

PRABHAKAR S/O JANARDHAN AMBADE AND ANR
VS
TUKARAM S/O KONDABAJI JANPADKAR

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Anjan De, Advocate for the appellant.
Shri M. P. Kariya, Advocate for the respondent.

CORAM : A.S. CHANDURKAR, J.
DATED : JULY 25, 2017.

By this application, it is prayed that the decree for possession passed in favour of the respondent be stayed. It is submitted that the applicants are in possession and the appeal has been admitted after framing substantial questions of law.

The application is opposed by the learned Counsel for the respondent. It is submitted that the appellate Court has held in favour of the respondent and hence, the decree does not deserve to be stayed.

Considering the fact that the applicants are in possession, the same shall remain protected during pendency of the appeal. The appellants, however, shall not create any third party rights in the suit property.

Civil application is disposed of.

JUDGE

/MULEY/