

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

CIVIL APPLICATION (CAS) NO.871 OF 2017

IN

SECOND APPEAL NO.100 OF 2010

Rajsukhdev Singh Hanspal and anr

..VS..

Abhijeet s/o Jaimat Kukreja

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

Court's or Judge's Order

Mrs. S.K. Pavnika, Counsel for the applicant/respondent.

None for the appellant.

CORAM : V.M. DESHPANDE, J.

DATED : NOVEMBER 27, 2017.

- 1. Learned counsel for the appellant is absent.**
- 2. Learned counsel Mrs. S.K. Pavnika appears for the applicant/respondent.**
- 3. The present application for early hearing is moved by the applicant/respondent.**
- 4. The applicant/respondent is the original plaintiff. The suit for recovery was filed by him against the appellant. The suit was decreed. An appeal carried against the said judgment and decree was dismissed by the Appellate Court.**
- 5. While issuing Notice to the applicant/respondent, this Court granted Stay in**

favour of the appellant on a condition that the appellant should deposit 50% of the decretal amount.

6. Learned counsel Mrs. S.K. Pavnkar for the applicant/respondent submits that in view of the said direction, the appellant has deposited the 50% of amount and the said amount is already withdrawn.

7. Looking to the nature of controversy involved and the fact that the money decree is Stayed and the fact that the appeals of the year 2010 are appearing on the Board for final hearing, the present application is allowed.

8. Registry is directed to place this second appeal for final hearing in the second week of January 2018.

9. The civil application is allowed and disposed of.

JUDGE

!! BRW !!

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