

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1513 OF 2014
IN
SECOND APPEAL No. 637 OF 2014

Smt. Veena Yashwant Patil & Ors. ... Applicants
Vs.
Sou. Ranjana Keshrinath Thakur & Ors. ... Respondents

Mr. J.M. D'Silva, Advocate for the applicants.
Mr. Jayesh M. Joshi, Advocate for the respondents.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 10th April, 2018.

P.C.:

This Application is moved by the learned counsel for the applicants to stay the operation of the judgment and decree dated 8th May, 2014 in Civil Appeal No. 13 of 2011 passed by learned District Judge-1, Alibag, Raigad, pending the hearing and final disposal of the Appeal.

2. Per contra, the learned counsel for the respondents submitted that the respondents are in possession of the suit property and the applicants/plaintiffs have prayed for mandatory orders by which the respondents/defendants are supposed to lose the possession. He submitted that till today, the respondents are in possession of the suit property.

3. In view of the submissions, as the Appeal involves issue of possession and the respondents are in possession of the suit property, as on today, the parties to maintain status quo in respect of the possession. However, the respondents shall not create any third party interest, shall not create any encumbrance and shall not part with the possession till the final decision of the Second Appeal.

4. Civil Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)