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

**CIVIL APPLICATION NO.2837 OF 2015
IN
FIRST APPEAL (ST) NO.19899 OF 2015**

M/s Shri Ganesh Krupa Construction
and ors

... Applicants.

V/s.

Mahadev Soma Sawant and anr

... Respondents

Mr. M. S. Lad, for the applicants.

Mr. Reshant Shah, for respondent No.1.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 25th OCTOBER, 2018.

P.C. :

- 1] Heard learned counsel for the appellant and respondent.
- 2] By this application, stay is sought to the execution of the decree passed by the City Civil Court.
- 3] The appeal pertains to Specific Performance of the agreement and handing over the possession of the immovable property.
- 4] Learned counsel for respondent submits that the appeal involves a very short point and hence it can be decided finally at the stage of admission. However, considering that this is a First Appeal, entire evidence recorded before the trial Court is required to be rep-

appreciated, it cannot be decided without calling for Record and Proceeding and without paper book. Hence, the stay is granted to the execution of the decree.

5] Accordingly the execution and implementation of the impugned judgment and decree passed by the trial Court is stayed till decision of the Appeal.

6] Application stands disposed off accordingly.

[DR.SHALINI PHANSALKAR-JOSHI, J.]