

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

SECOND APPEAL NO.75 OF 2016

Salubai w/o Chirkuta Nimje and ors.

-vs-

Lila w/o Janardhan Nimje and ors.

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

Court's or Judge's Orders.

Shri Raju Dhole, Advocate for appellants/applicants.

CORAM : A.S.CHANDURKAR, J.

DATE : October 16, 2018

Civil Application (CAS) No.179 of 2016

By this application it is prayed that the execution of the decree as passed by the trial Court and confirmed by the appellate Court be stayed during pendency of the appeal.

In the application it is stated that the applicants are in possession of part of the suit property and hence that possession deserves to be protected.

Reply has been filed on behalf of the non-applicant No.1 opposing the prayer as made.

Considering the fact that the appeal has been admitted after framing substantial question of law, the execution of the decree shall remain stayed during pendency of the appeal. The parties shall however not create third party rights in the suit property.

Civil Application is allowed and disposed of.

JUDGE