

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

SECOND APPEAL NO.498 OF 2016

Rajendra @ Rajabhau s/o Ganeshrao Thakre

-vs-

Harishchandra Kaniram Jadhao and anr.

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

Court's or Judge's Orders.

Shri K. S. Narwade, Advocate for appellant.

Dr Anjan De, Advocate for respondent No.1.

Ms Geeta Tiwari, AGP for respondent No.2/State.

CORAM : A.S.CHANDURKAR, J.

DATE : February 13, 2018

Heard.

Admit on the following substantial question of law :

“ Whether the reversal of the decree by the first appellate Court is after taking into consideration the entire evidence on record for concluding that the plaintiff was prosecuted without any reasonable probable cause ?”

Dr Anjan De, learned counsel waives notice on behalf of respondent No.1. Ms G. Tiwari, learned Assistant Government Pleader waives notice on behalf of respondent No.2/State.

Appellant to file paper-book within period of six months.

Civil Application (CAS) No.968 of 2017

By this application it is prayed that the execution of the impugned decree be stayed during pendency of the

appeal.

By order dated 05/09/2017 the applicant was directed to deposit sum of Rs.20,000/- as a condition for staying execution of the impugned decree. That amount has been deposited now. Hence the application is allowed in terms of prayer clause (i). The amount deposited shall be invested in Fixed Deposit.

Civil Application is disposed of.

JUDGE