

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.10926 OF 2019

Ismail Karimsab Shaikh (died),
through Legal representatives:

Petitioners

Versus

Mohammad s/o Ibrahim Shaikh
and others

Respondents

Mr.S.A.Deshmukh, advocate for the petitioners.

CORAM : RAVINDRA V. GHUGE, J.

DATE : 11th September, 2019

PER COURT:

1. The petitioners, who are the appellants before the appellate Court in RCA No.73 of 2018, are aggrieved by the order dated 10.06.2019, passed by the learned District Judge-4, Latur, by which application Exhibit-05 seeking stay to the decree, has been refused.

2. I have considered the strenuous submissions of the learned advocate for the petitioners and have gone through the sixteen grounds formulated in the memo of petition.

3. The record reveals that Regular Darkhast No.63 of 1999 was entertained by the executing Court. The decree holder has already

filed a purshis declaring that the decree is satisfied. The decree in RCS No.353 of 1981 was sustained right up to the Hon'ble Apex Court.

4. Considering the above and keeping in view that the decree has been executed and the execution proceedings have been disposed off, on account of the satisfaction of the decree, by order dated 23.10.2018, this petition is devoid of merit and is, therefore, dismissed.

RAVINDRA V. GHUGE
JUDGE

dyb