

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

**CIVIL APPLICATION NO. 4259 OF 2018
IN
FIRST APPEAL NO. 563 OF 2017**

Kisturam Udaram Choudhary & Anr.	...	Applicants
V/s.		
Smt.Malti Maruti Kanaskar & Ors.	...	Respondents

- Mr.Shikur G. Kudle for the Applicants.
- Mr.H.R. Pawar for Respondent No.1.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 16th JANUARY, 2019.

P.C. :

- 1] Heard learned counsel for both the parties.
- 2] This application is for seeking stay to the execution of the decree of eviction. However, learned counsel for Respondent No.1 points out to the order dated 19/07/2017 passed by this Court (*Coram : G.S. Patel, J.*), whereby the similar application seeking stay to the execution of the decree of eviction was dismissed by this Court and the Respondents were directed to handover the possession of the suit property.

3] In view thereof, the second application with the same prayer for stay to the execution of the decree cannot be maintainable. Hence, the Application stands dismissed. The hearing of the Appeal is however expedited.

[DR.SHALINI PHANSALKAR-JOSHI, J.]