

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CIVIL APPLICATION (S) NO.256/2018
IN
SECOND APPEAL NO. 95/2018

(Bapuji Bhika Zade and others **VS.** Sau. Changuna w/o Vijay Upare and others)

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

Court's or Judge's order

.....
Mr. A.P. Satpute, Adv.for applicants/appellants
Mr. Rohit Joshi, Adv. for respondent no.1

CORAM : MRS.SWAPNA JOSHI, J.
DATED : 21st January, 2019.

This is an application under Order 41 Rule 5 of the Civil Procedure Code for grant of stay.

Learned counsel for the applicants submits that the suit property is in their possession. Learned Advocate for respondent no.1 submits that at the time of admission stage as well as on today also, the execution of the judgment and decree could not be pressed by the respondents.

In view of the statement made by learned counsel for respondent no.1, the effect and operation of the judgment and decree passed by 3rd Joint Civil Judge, J.D. Rajura in Regular Civil Suit No.15/2008 and the judgment and decree dated 3rd January 2018 passed by District Judge-3 Chandrapur in Regular Civil Appeal No.251/2012 is hereby stayed.

The Civil Application is allowed and disposed of.

Six weeks' time is granted for filing private paperbook.

JUDGE