

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.2265 OF 2017

(GUNWANT GOVINDRAO TAYAWADE(EXPIRED) THR. LR...VS.. RASHTRIYA HATTIROG
NIYANTRAN PATHAK & OTH.)

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

Court's or Judge's orders

Shri A.M.Kukday, Advocate for Petitioner.
Shri P. Thakre, Adv.h/f.Shir R.V.Kinarkar, Advocate for Respondent No.1.

CORAM : Z.A.HAQ, J.

DATED : JANUARY 23, 2019.

CIVIL APPLN.NO.2118/2017.

For the reasons stated in the application the petitioner is permitted to amend the cause title and substitute the addresses of the respondent Nos. 4(1) to 4(5) and 5 as stated in the application.

The civil application is **allowed** accordingly. No costs.

WRIT PETITION NO. 2265/2017.

Issue notice to the respondent Nos. 4(1) to 4(5) and respondent No.5 on corrected address, returnable on **18th March 2019.**

CIVIL APPLN.NO. 2117/2018.

By order dated 19th April 2017 this Court stayed the execution of the decree on the condition that the

petitioner shall deposit 50% of the decretal amount within four weeks. This application, seeking extension of time to deposit the amount, is filed on 12th September 2017 i.e. much after the time granted by this Court to deposit 50% of the decretal amount expired. The petitioners have not shown diligence in prosecuting the civil application also.

I find that there are no bonafides on the part of the petitioners. Hence, the interim order granted on 19th April 2017 is vacated.

The executing Court shall proceed with the execution, if filed before it. The executing Court shall not stay its hands because of the pendency of this petition.

The civil application is **disposed**. No costs.

JUDGE