

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

CIVIL APPLICATION (CAF) NO. 4436 OF 2019
IN
FIRST APPEAL NO. 538 OF 2018

Haridas Baliram Gondchawar
..vs..
Sau. Kajal Hitesh Shah and anr.

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

Court's or Judge's orders

Shri A.C. Dharmadhikari, Advocate for appellant
Shri R.L. Khapre, Advocate for respondent nos. 1 and 2.

CORAM : VINAY JOSHI, J.
DATED : 17th DECEMBER, 2019

Heard.

2. The appellant has taken out this Civil Application for speaking to the minutes about the order of this Court dated 17.07.2019. It reveals that, in this appeal the appellant took out Civil Application No. 1448 of 2018 seeking stay to the execution of money decree, as against this, respondent also took Civil Application No. 2027 of 2019 for vacating interim stay.
3. The appellant would submit that this Court has taken up both the Civil Applications together for hearing and after considering the matter, has passed the order dated 17.07.2019 by which on the statement of appellant, the prayer clause was allowed.
4. The appellant would submit that in fact, this order pertains to their Civil Application meaning thereby

this Court has granted stay. As against this, learned Counsel for the respondent would submit that the order dated 17.07.2019 is specifically on Civil Application No. 2027 of 2019 which is their applications for vacation of stay.

5. Having regard to the controversy, the appellant urged that as the other side objected to his interpretation of the order, they would prefer a review. Since already Civil Application No. 2027 of 2019 is disposed as per the record of Court, it would be better to go for review. Hence, Civil Application No. 4436 of 2019 is disposed of. The appellant is at liberty to file review application as permissible under Law.

6. Civil Application is disposed of accordingly.

JUDGE

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