

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAS) NO. 218 OF 2019
IN
SECOND APPEAL NO. 95 OF 2019

Yadavrao S/o Kisanrao Borkar and ors
Vs.
Prataprao Ganeshrao Deosarkar and ors

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

Court's or Judge's orders.

Shri S.C. Joshi , Advocate for the appellants.
Shri K.S. Narwade, Advocate for the respondents.

CORAM : AMIT B. BORKAR, J.
DATE : 09th AUGUST, 2021.

1. This Court had already admitted the present appeal on 19.06.2019 by framing substantial question of law.
2. By the impugned judgment and decree, it is held that the plaintiff is entitled for possession of agricultural land bearing Survey No.72, situated at Village Deosari, Tq. Umarkhed, Dist. Yavatmal
3. By way of present application, the applicant is seeking stay to the effect and operation of the impugned judgment and decree.
4. Since by the impugned judgment and decree the appellant is held to be entitled for partition and possession of the agricultural land, the interests of justice will be

served if the appellant is protected by way of order which is passed herein below :-

ORDER

5. The partition proceedings in relation to judgment and decree dated 24.09.2018 passed by the Ad-Hoc District Judge-1, Pusad, Dist. Yavatmal shall proceed but actual possession of agricultural land admeasuring 2 Acres 21.5 Gunthas out of land bearing Survey No.72 total 6 Acres 22 Gunthas situated at Village Deosari, Dist. Yavatmal, shall not be delivered till the disposal of present appeal.

6. The Civil Application stands disposed of accordingly.

JUDGE

C.L.Dhakate