

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 16043 OF 2022
IN
FIRST APPEAL NO. 3663 OF 2022**

Mustafakhan Yusufkhan Pathan
(Died) Through L.Rs.
Bashidkhan Mustafakhan Pathan and Others ..APPLICANTS

VERSUS

Nitin Bajranglal Malu and Another ..RESPONDENTS

....
Mr. S.S. Manale, Advocate for applicants
Mr. V.J. Dixit, Senior Advocate i/b Mr. S.V. Dixit, Advocate for respondents
....

**CORAM : R.G. AVACHAT AND
R.M. JOSHI, JJ.**

DATE : 01st DECEMBER, 2022

PER COURT :

1. Heard.
2. Issue notice to the respondents. Mr. S.V. Dixit, learned counsel, waives service of notice on their behalf.
3. Learned counsel for the applicants seeks stay to the impugned judgment and decree.
4. Since the decree against the applicant/appellant is a money decree, it is just and necessary to ensure that the decretal amount is

secured. In the facts and circumstances of the case, solvent security to the extent of decretal amount will be sufficient security. Hence, the impugned judgment and order is stayed on furnishing solvent security. Civil application stands disposed of accordingly.

SSD

(R.M. JOSHI, J.)**(R.G. AVACHAT, J.)**