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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 194 OF 2021

IN

FIRST APPEAL ST NO. 22780 OF 2017

Harshad B. Sonawale

.....Applicant

V/s.

M/s. Nilay Consultancy and Investment
Company and another

.....Respondents

Mr. Tejas Dande a/w Mr. Chinmay Dande and Mr. Bharat Gadhani i/b Tejas Dande Associates Advocate for the Applicant.

Mr. S. C. Naidu a/w Mr. Manoj Gujar, Mr. T. R. Yadav, Mr. Sudesh Naidu, Ms. Divya Yujurvedi, Mr. Pradeep Kumar i/b C. R. Naidu & Co. Advocate for Respondents.

CORAM : GAURI GODSE, J.

DATE : 30th AUGUST, 2022.

P.C.

1. This is an Application filed for stay of the execution of the impugned Judgment and Decree. In view of the order passed in Civil Application No. 193 of 2021 thereby imposing conditions regarding payment of cost and deposit of

entire decretal amount, there shall be interim stay in terms of prayer clause (a) subject to compliance of the conditions imposed in the order passed today in Civil Application No. 193 of 2021. Prayer clause (a) reads as under:

“(a) Pending the hearing and final disposal of First Appeal, the operation, implementation, and execution of the Judgment and Order dated 17.08.2015 passed by the Ld. Judge of the City Civil Court, Greater Mumbai in Summary Suit No. 8110 of 1999 (High Court Summary Suit No. 85 of 1999), may kindly be stayed”.

2. It is made clear that if the conditions imposed in Civil Application No. 193 of 2021 are not complied with, this Application will stand dismissed without further reference to the Court.
3. In the event the conditions are complied with, Respondents will be at liberty to file appropriate Application for further directions.
4. Application stands disposed of.

[GAURI GODSE, J.]