

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

**CIVIL APPLICATION NO. 8431 OF 2019
IN SECOND APPEAL NO.400 OF 2019**

**PRALHAD @ BALASAHEB GOVIND DAHALE DECEASED THROUGH
LRS VINAYAK AND OTHERS
VERSUS
SATISH SOMA BHOLE AND ANOTHER**

Mr. G. V. Wani, Advocate for the appellants

Mr. S. P. Brahme, Advocate for respondent Nos. 1 and 2.

CORAM : R. M. JOSHI, J.

DATE : 29th MARCH, 2023

PER COURT :-

1. This application is filed by appellant/original defendant No.1 seeking stay to the effect and operation of judgment and order passed in RCA No. 761/2012 and order passed in RCS No. 247/1999 till the decision of this appeal.

2. The suit property is house property. Second appeal is admitted by framing substantial questions of law. In order to ensure that appeal does not become infructuous the application deserves to be allowed and accordingly allowed in terms of prayer clause 'B'.

3. Learned counsel for the applicant makes statement that he will not create thirty party interest into the suit property in any manner

whatsoever till the decision of the appeal. The statement is accepted as undertaking.

4. In view of the above, application stands disposed of.

(R. M. JOSHI, J.)

ssp