

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 795 OF 2023
IN
COMMERCIAL FIRST APPEAL NO. 19 OF 2022**

M/s Shree Tirupati Greenfield, (Shree...
Tirupati Greenfield Developers)and
Anr. Applicants (Org. Defendant)
In the matter of
M/s Shree Tirupati Greenfield, (Shree...
Tirupati Greenfield Developers)and
Ors. Appellants (Org. Defendant)
Versus
Shraddha Khandhadia ... Respondent (Org. Plaintiff)

....
Mr. Saurabh Oka, Advocate for Applicants.
Mr. Narayan Sahu i/b Mr. Ashish P. Pawar, Advocate for Respondent.
....

**CORAM : K. R. SHRIRAM &
RAJESH S PATIL, JJ.**

DATED : 30th JANUARY 2023

PC.:

Mr.Oka is seeking stay of the execution of the decree dated 10th January 2022. Mr.Oka states that the decretal amount as on date works out to about Rs.17,00,000/- and odd. Mr.Sahu states the amount will be about Rs.22,00,000/-. Mr.Oka states that Appellants

are willing to secure the decree by depositing Rs.17,00,000/- in Court. Mr.Oka further states that he has prepared a Pay Order of Rs.9,00,000/- drawn in favour of Registrar, High Court Appellate Side being the principal amount and the balance Rs.8,00,000/- he shall deposit with the Registrar, Bombay High Court Appellate Side within four weeks from today. Statement accepted as an undertaking to the Court.

2 Registrar, Bombay High Court Appellate Side to accept this Pay Order for Rs.9,00,000/-. Upon the amount being deposited with the Registrar, Bombay High Court Appellate Side, there will be a stay of the decree/order in Judgment dated 10th January 2022 passed in Commercial Summary Suit No.3 of 2021.

3 If the balance amount of Rs.8,00,000/- is not paid on or before 27th February 2023, this stay will stand vacated without further reference to the Court.

4 Liberty to Respondent to apply for withdrawal of this amount.

5 Stay Application disposed.

6 We clarify that this order pertains only to Commercial
First Appeal No.19 of 2022 and no other Appeal.

(RAJESH S. PATIL, J.)

(K. R. SHRIRAM, J.)