

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

**INTERIM APPLICATION NO. 19495 OF 2022
IN
FIRST APPEAL NO. 1233 OF 2022**

Urmi Kamlakar Dighe and Another ...Applicants/ Appellants
versus
Arun Chhotelal Ghiya ...Respondent

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Mr.Rajiv Patil, Senior Advocate with Mr.Kiran Jadhav and Ms.Sneha
Pawar i/b. Mr.Vishal Kolekar for the Applicants/ Appellants.
Ms.Gauri Jadhav for the Respondent.

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**CORAM : NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.**

DATE : 3 NOVEMBER 2023

P.C.:

Heard the learned Counsel for the parties.

2. This Interim Application is filed for interim relief.
3. The Appeal is already admitted.
4. The Appeal arises from the Suit filed by the Respondent/
Original Plaintiff for specific performance. By the impugned
judgment and order dated 1 August 2022 passed by the learned 2nd
Joint Civil Judge, Senior Division, Khed-Rajgurunagar, District –
Pune, the Suit for specific performance is decreed and Applicant

No.1 was directed to execute the sale deed and deliver the possession of the suit properties to the Original Plaintiff on execution of the sale deed. We are informed that the Applicants are in possession as of today.

5. In these facts and circumstances, the execution and implementation of the impugned judgment and order dated 1 August 2022 passed in Special Civil Suit No. 129 of 2017 shall stand stayed pending the Appeal, subject to the condition that the Applicants will not part with possession of the suit property to any third party .

6. As regards the request of the learned Counsel for the Respondent for early hearing of the Appeal is concerned, it is open to the Respondent to take out an application in that regard which will be considered on its own merits.

7. Interim Application is allowed and accordingly disposed of.

(MANJUSHA DESHPANDE, J.) (NITIN JAMDAR, J.)