



WEB COPY

C.M.P.No.24371 of 2023



C.M.P.No.24371 of 2023

in

S.A.No.773 of 2023

P.T.ASHA, J.,

The petitioners/appellants are the defendants in the suit for bare injunction by the respondent which has been concurrently held in favour of the respondent herein.

2. The courts below have observed that the respondent herein has proved her *prima facie* case that she is in peaceful possession of the suit property. The petitioners/appellants instead of seeking suspension of the decree for injunction have sought for stay of the decree.

3. Be that as it may, considering both the courts *prima facie* held that the respondent is in possession of the suit property, no orders can be passed in this C.M.P. The petition for stay is totally misconceived and stands dismissed.

4. Post the second appeal in usual course.

22.11.2023

ssa



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