



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

10 WRIT PETITION NO. 9002 OF 2024

MILIND SUDHAKARRAO TEHARE
VERSUS
SANJAYKUMAR RAMKISHAN TAK

...
Advocate for the Petitioner : Mr. Sachin S. Deshmukh h/f. Mr. Jangada
Suyashkumar S.

...
CORAM : ARUN R. PEDNEKER, J.
Dated : August 26, 2024

PER COURT :-

1. Heard the learned counsel for the petitioner.
2. Regular Civil Appeal No. 89/2023 is pending before the learned District Judge, challenging the judgment and order dated 31.10.2023 passed by the Trial Court in R.C.S. No. 35/2022. During the pendency of the appeal, the judgment and decree was sought to be executed by the plaintiff by initiating executing proceeding. However, the learned District Judge stayed the execution of the judgment and order dated 31.10.2023 passed by the Trial Court in R.C.S. No. 35/2022 vide order dated 24.6.2024.
3. The learned counsel for the petitioner submits that the learned District Judge without applying mind passed erroneous and cryptic order, no reasons are assigned and the execution of judgment and decree of the Trial Court is stayed. He therefore prays for quashing of the impugned order.
4. In view of the facts, situation of this case, without going in to the merits of the matter, the petition can be disposed of by giving direction to the learned District Judge to decide the appeal within six months from the date of receipt of this order. The writ petition is disposed of accordingly.

(ARUN R. PEDNEKER, J.)

ssc/