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915 sr.no..odt

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

**CIVIL APPLICATION NO. 9865 OF 2015  
IN SA/391/2015**

Ashok Leyland Finance Ltd Now Known As Indusind Bank Ltd.

....Applicant

**VERSUS**

Sk. Mahboob Sk. Dada Miya And Other

.....Respondent

.....

Advocate for Applicant : Mr. Narwadkar Mrigesh D.

Advocate for Respondents : Mr. A.s. Bajaj For R/1 And 2

.....

**CORAM : S.G. CHAPALGAONKAR, J.**

**DATE : 6TH DECEMBER, 2024.**

**P.C. :-**

Heard Mr. Narwadkar, learned advocate for applicant/appellant and Mr. A.S. Bajaj, Advocate for respondents.

2. Mr. Narwadkar submits that in pursuance to the decree, now a show cause notice for arrest for execution has been issued against the applicant. Mr. Bajaj, submits that since it is a money decree, applicant will have to deposit the entire amount under the decree.

3. In view of the fact that applicant has suffered money decree his prayer for stay to the show cause notice for arrest for execution can be entertained only if he deposits the entire decretal amount. Mr. Narwadkar submits that partial decretal amount has been already deposited in court.

4. In that view of the matter, present application is allowed subject to condition that the applicant deposits the balance of the decretal amount in this court within a period of four weeks from today. It is made clear that if any amount is already deposited, respondents/decree holders shall be at liberty to withdraw the same. Interim relief to continue till 16<sup>th</sup> January, 2025.

5. Stand over to 16<sup>th</sup> January, 2025.

**[S.G. CHAPALGAONKAR, J]**

grt/-