

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

Writ Petition No. 14705 of 2024

Smt. Sunandabai Patilbuwa Rakshe ... Petitioners.

V/s.

Shri Maruti Yashwant Rakshe ... Respondents.

Mr. Surel Shah, Senior Counsel a/w. Vikas Shivarkar a/w. Mr. J.D. Khairnar	Advocate for the Petitioner
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CORAM : S.M. MODAK, J

DATE : 23 October 2024.

P.C. :

For the reasons separately recorded which is under typing,
following order is passed:-

OPERATIVE ORDER

- (i) The order dated 24 July 2024 passed by the Court of District Judge, Vadgaon, Dist.Maval in Civil Misc. Application No.50/2023 is set aside.
- (ii) Stay is granted to the proceedings to the Regular Darkshast No.6/20 till disposal of Civil Misc. Application.
- (iii) The stay is granted subject to furnishing undertaking by judgment debtor not to indulge into an act otherwise than

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due process of law so as to obstruct the possession of the decree-holder.

- (iv) The undertaking be filed within three weeks before the Executing Court. This undertaking is considered as without prejudice to her rights to argue the civil appeal.
- (v) The hearing of the Civil Misc. Application is expedited.
- (vi) The Writ Petition stands disposed of.

(S.M. MODAK, J.)