

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO. 805 OF 2024
WITH
INTERIM APPLICATION NO. 14719 OF 2024
IN
APPEAL FROM ORDER NO. 805 OF 2024**

Smt. Lata Sayanna Elmal And Others ...Appellants
Versus
Mr. Vinod Kumar Nagabathula And Another ...Respondents

Mr. Sandeep Sharma i/b. Thakordas and Madgavkar for Appellants
Mr. Satyavan N. Vaishnav a/w. Ms. Nupur J. Kukherjee, Ms. Jasmine
Sabharwal i/b. M/s. N.N. Vaishnawa & co., for Respondents

CORAM : M. M. SATHAYE, J.

DATED : 19th NOVEMBER 2024

P.C.:

1. Heard learned Counsel for the Appellants and learned Counsel for the Respondents.
2. The impugned order is an order by which the Application under order 9 Rule 13 filed by the Appellants is dismissed. It is submitted by learned Counsel for the Appellant that *ex-parte* decree directing the Appellants to hand over the vacant and peaceful possession of the suit property, is being executed and the next date is 21/11/2024.
3. Learned Counsel for the Respondents fairly states, on instructions, from his clients, that the execution will not be pressed, but only for a period

of two weeks from today, so that the Appeal from order can be heard finally.

4. Stand over to **03/12/2024**. It is clarified that above statement made today will not be automatically extended.

(M. M. SATHAYE, J.)