



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

WRIT PETITION NO. 5449 OF 2024

M/S. GANDHI SALES CORPORATION, THR. ITS PROPRIETOR, SHRI. PRAMOD KUMAR
GANDHI AND ANOTHER

VERSUS

KU. ASHA D/O. KISHORILAL BANARASI (DEAD) THR.ITS LRS.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.R. Prasad, Advocate for the Petitioner/s

CORAM : ANIL S. KILOR, J.
DATE : 12.09.2024

1. Heard.
2. The learned counsel for the petitioners fairly states that appeal under Section 96 of the Code of Civil Procedure (CPC) against the impugned judgment and decree dated 20.07.2023 passed by 2nd Joint Civil Judge Senior Division, Nagpur in Special Civil Suit No.29 of 2013, partly decreeing the suit directing the defendants/petitioners to pay Rs.4,81,966/- along with interest, is pending.
3. It is pointed out that though the application for stay was filed along with the appeal memo, there is no decision on the said application till date, which compelled the petitioners to file the present writ petition.
4. In light of the above referred submissions, I am of the opinion that for the ends of justice, if directions are issued to the

learned Appellate Court to decide the application filed by the petitioners for grant of stay, a purpose would be served.

5. Accordingly, writ petition is **disposed of** with a direction to the learned Appellate Court to decide the application for stay filed by the petitioners, within a period of four weeks from today, in accordance with law.

[ANIL S. KILOR, J.]