



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CIVIL APPLICATION (CAO) NO. 739 OF 2024

IN

M.C.A.ST. NO.12419 OF 2024

IN

SECOND APPEAL NO.37 OF 2016 (D)

KANTABAI WD/O MOHANLAL CHAUDHARI

Vrs.

KESARABAI MOHANLAL CHAUDHARI AND ANOTHER

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

Court's or Judge's Order

Shri S. G. Karmarkar, Advocate for applicant.

CORAM: SANJAY A. DESHMUKH, J.

DATE : 05/07/2024.

1. This is an application for condonation of delay of 920 days caused for filing restoration application of appeal.

2. Heard learned counsel for both sides.

3. Perused the application.

4. Issue notice to the respondents.

CIVIL APPLICATION (CAS) NO. 108 OF 2016

5. This is an application for grant of stay to the execution of the impugned Judgment and Decree.

6. Learned Advocate for the applicant submitted that the very purpose of filing of this appeal would frustrate, if the impugned Judgment and decree is not stayed.

7. Considering the urgency and peculiar set of facts, it would be proper to grant stay to the execution of

impugned Judgment and decree of the Appellate Court till the appearance of respondents and filing their reply, if any.

8. Applicant is directed to comply the procedure under Order 39 Rule 3 of the Code of Civil Procedure and submit an affidavit of complaine in this Court within a week.

9. Stand over after two weeks.

[SANJAY A. DESHMUKH, J.]

Choulwar