



WEB COPY



CMP.Nos.11322 of 2024 & 27084 of 2023
in S.A.No.856 of 2023

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N. MALA, J.

CMP.No.11322 of 2024 has been filed to vacate the interim stay granted by this Court in CMP.No.27084 of 2023 dated 28.11.2023 in S.A.No.856 of 2023.

2. It is seen that the suit itself has been filed for recovery of possession and therefore if the vacate stay petition is ordered then the appellants would be dispossessed of the suit property pending second appeal. It is stated that E.P.No.26691 of 2023 has already been filed by the vacate stay petitioner and it is posted for hearing on 16.07.2024.

3. In the light of the above submissions, the vacate stay petition cannot be entertained. The learned counsel for the vacate stay petitioner submitted that though he has filed vacate stay petition it would suffice if a date is fixed for final hearing of the Second Appeal.



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4. According to the learned counsel, the appellants have been squatting in the suit property for the past 12 years and therefore he prayed that an early date may be fixed for final disposal of the Second Appeal.

5. Under the above circumstances date is fixed for the disposal of the Second Appeal on 17.09.2024. The vacate stay petition is disposed of accordingly.

11.07.2024

dpq

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