



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**908 WRIT PETITION NO. 11065 OF 2025**

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY  
PUBLIC WORKS DEPARTMENT MANTRALAYA AND OTHERS

VERSUS

NARSIMHA CONSTRUCTION PVT LTD THROUGH MANAGING  
DIRECTOR SHRI MOHAN KASHINATHRAO KALE

...

AGP for the Petitioners : Mr. P. D. Patil  
Advocate for Respondent Sole : Mr. Narsinh L. Jadhav

...

**CORAM : ARUN R. PEDNEKER, J.**

**DATE : 26.09.2025**

**PER COURT:**

1. Heard.

2. By the present petition, the petitioners are challenging the interim order passed on Exhibit-5 in Regular Civil Appeal No.43 of 2025, wherein the trial court has refused to grant stay to the money decree passed by the trial court. The civil appeal is pending and that there is no stay granted to the money decree. The money decree is for an amount of Rs.20,17,508/- with interest of 9% per annum. No specific reason is pointed out to stay the decree and that there is no prima facie dispute as regards the work being executed by the respondent / plaintiff. Only argument is canvassed that there is no sanction of the superior officer i.e. the Superintendent.

3. Considering that the work is executed, it would be more appropriate to direct the petitioner/s to deposit the decretal amount of Rs.20,17,508/- in the trial court and, on such deposit being made, there shall be stay to the execution of the decree. Thereafter, the appeal shall be decided within a period of six (06) months.

4. The Writ Petition stands disposed of accordingly.

**[ARUN R. PEDNEKER, J.]**

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