

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 699 OF 2025

Ganpat @ Ganpati Dattu Katkar ...Petitioner
Versus
Sushilabai Nivruti Mohite ...Respondent

Mr. Dilip Shinde, for the Petitioner.

CORAM: N. J. JAMADAR, J.
DATED: 16th JANUARY, 2025

PC:-

1. Heard the learned Counsel for the petitioner.
2. The learned Counsel for the petitioner invites the attention of the Court to an order dated 17th March, 2017 in WP/3152/2017, whereby this Court had granted ad-interim relief in terms of prayer clause (c), which according to Mr. Shinde has the effect of staying the execution proceedings i.e. Regular Darkhast No.9/2008. Mr. Shinde further submits that the order passed by the learned Civil Judge on Exhibit-100 in the same RD No.9/2008 may have the effect of executing the decree in teeth of the aforesaid order.
3. In view of the aforesaid submission, issue notice to the respondent, returnable on 13th February, 2025.

4. In addition to notice through Court, the petitioner is at liberty to serve the respondent by private service and file affidavit of service.
5. In the meanwhile, there shall be an ad-interim relief in terms of prayer clause (b).
6. To be listed alongwith WP/3152/2017.

[N. J. JAMADAR, J.]