

3. Learned counsel for the respondent submits that though an affidavit in reply is filed opposing the interim relief, he on instructions submits that the respondent shall not create any third party rights in respect of the suit properties and shall not part with possession in favour of any third party. The statement made on behalf of the respondent is accepted as an undertaking to this court.

4. In view of the aforesaid, during the pendency of the second appeal there will be interim stay to the execution and operation of the impugned decree.

5. The respondents statement is accepted that he shall not create any third party rights in respect of the suit property and shall not part with possession of the suit property in favour of third party during the pendency of the second appeal.

6. Interim application is allowed in the aforesaid terms.

7. Learned counsel for the appellant submits that respondent has shown willingness to amicable resolve the dispute. Parties are therefore at liberty to explore possibility of amicable settlement. Liberty to apply, if they arrive at any amicable solution.

[GAURI GODSE, J.]