

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15939 OF 2025

Mr. Balakrishna Laxman Khaire

...Petitioner

*Versus*

Mr. Ramesh Narayan Patil

...Respondent

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Mr. Rahul M. Jade for Petitioner.

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BHALCHANDRA  
GOPAL  
DUSANE

CORAM: MADHAV J. JAMDAR, J.

DATED : 25<sup>th</sup> November 2025

Digitally signed by  
BHALCHANDRA  
GOPAL DUSANE  
Date: 2025.11.25  
18:45:00 +0530

**P.C.:**

1. Heard Mr. Rahul Jade, learned Counsel appearing for the Petitioner.

2. Mr. Jade, learned Counsel states that yesterday the Bailiff has visited the suit premises to execute the Decree, however, Decree is not executed and the Petitioner is in possession of the suit premises.

3. Issue notice to the Respondent returnable **16<sup>th</sup> December 2025**. In addition to the Court notice, the Petitioner to serve the Respondent by private notice and file affidavit of service before the returnable date.

4. Till next date, Judgment and Decree dated 16<sup>th</sup> January 2016 passed by the learned Judge, Small Causes Court, Mumbai in R.A.E. Suit No. 1412 of 2010 and Judgment and Decree dated 21<sup>st</sup> October 2021 passed by the learned Appellate Bench of Small Causes Court, Mumbai in Appeal No.450 of 2016 in R.A.E. Suit No.1412 of 2010 shall remain stayed.

5. Resultantly, warrant of possession dated 3<sup>rd</sup> November 2025 issued in Execution Application No.133 of 2016 shall remain stayed.

6. Stand over to **16<sup>th</sup> December 2025**. To be shown fairly high on board.

(MADHAV J. JAMDAR, J.)