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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 103 OF 2025
WITH
INTERIM APPLICATION NO. 3208 OF 2025**

Smt. Aartirani Aappsao Patil ... Appellant/Applicant

vs.

Shri Chandrashekhar Shrishailappa ... Respondent
Rudagi

Mr. Dheeraj Patil i/b. Mr. Prasad Keluskar for Appellant.

CORAM : GAURI GODSE, J.

DATED : 9th APRIL 2025

ORDER:

1. Mentioned out of turn by the learned counsel for the appellant.

2. He submits that by order dated 10th February 2025, the question of law is framed and notice for final disposal is issued. He submits that service of private notice is complete and affidavit of service is filed. He submits that the respondent has filed execution. The application for execution of the trial court's decree for specific performance. He submits that in execution the sale deed is already executed through the Court Commissioner. He therefore submits

that the execution proceedings are now listed for issuing a possession warrant. He submits that the next date in the executing court is 16th April 2025. He therefore requests for issuing notice in the interim application and for interim protection.

3. Notice of the respondent in the interim application is made returnable on 11th June 2025.

4. In addition to Court notice, learned advocate for the appellants to serve the respondents, by private notice alongwith the copy of order and file affidavit of service before the next date.

5. During the pendency of the application, there will be stay to the further proceedings for execution of the trial court's decree.

6. Learned advocate for the appellant shall supply copies for issuance of the court notice, failing which the ad-interim protection granted by this order shall stand vacated.

7. Hence, during the pendency of the application, further proceedings and Regular Darkhast No. 11 of 2021 shall remain stayed. The appellant shall not create any third party interest or part with the possession of the suit property.

(GAURI GODSE, J.)