



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAS) NO. 749 OF 2025
WITH
CIVIL APPLICATION (CAS) NO. 756 OF 2025
IN
SECOND APPEAL NO. 117 OF 2025

[Subhash s/o. Vishambar Dhage..Vs.. Purushottam s/o. Laxman
Mogare and ors.]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr Rahul Tajne, Advocate for Appellant.
Mr. M. B. Pophale, Advocate for the respondents

CORAM : M. W. CHANDWANI, J.

DATE : 12th AUGUST, 2025.

1. By the present applications, the applicant/appellant is seeking extension of two month's time to comply the order dated 05.05.2025 passed by this Court. This Court on 05.05.2025 stayed the effect and operation of the decree passed by the First Appellate Court subject to deposit the amount of Rs. 15,00,000/- within three months from the date of order which has expired on 04.08.2025.

2. The contention is that the applicant is an agriculturist. He has applied for mortgage loan with Purna Urban Nidhi Limited, Khamgaon and it will take some time to get the loan. The applicant is ready to deposit the amount of Rs. 2,00,000/- with this Court.

3. On the other hand, the non-applicants/respondents applied for vacation of the order on the ground that the applicant failed to comply the order dated 05.05.2025, therefore, the stay granted by this Court is required to be vacated.

4. It appears that the applicant is an agriculturist. On perusal of the application, it appears that the applicant/appellant applied for the loan and he is ready to deposit Rs. 2,00,000/- within two days. No prejudice will be caused to the respondents. The application is diligently filed prior to the expiry of the time to deposit the amount. Considering the submissions, the applicant/appellant shall deposit the amount of Rs. 2,00,000/- within two days from today. Six weeks time from today is granted to the applicant/appellant to deposit the balance amount of Rs. 13,00,000/-.

5. In above said terms, both the applications are disposed of.

6. Place this matter after six weeks.

JUDGE

Tanmay.