



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.8901 OF 2024
IN
SECOND APPEAL NO.340 OF 2024**

Chotelal Bhullanram Jaiswar	...	Applicant
versus		
Kamlaprasad Bhullanram Jaiswar and Anr.	...	Respondents

Mr. T.K.Sinha, for Appellant.
Mr. R.B.Patil, for Respondent No.1.
Mr. Ashok I. Talreja, for Respondent No.2.

CORAM: N.J.JAMADAR, J.

DATE : 25 FEBRUARY 2026

P.C.

1. Heard the learned Counsel for the parties.
2. By an order dated 25 July 2025, the Appeal has been admitted by framing substantial questions of law. The decree passed by the trial Court, which has been affirmed by the first Appellate Court, is for delivery of possession of the suit properties. Since substantial questions of law have been framed, till the final disposal of the appeal, the execution and operation of the decree passed by the trial Court on 1 April 2019 is required to be stayed, lest the Applicant would suffer irreparable loss.
3. Hence, ad-interim relief granted by an order dated 25 July 2025 is made absolute, subject to the following conditions :

- (i) The Appellant shall file an undertaking on an affidavit before this

Court that the Appellant will not part with possession of the subject suit properties, not create any third party rights therein, within a period of three weeks from today.

4. Hearing of the Appeal stands expedited.
5. The Appellant shall file a private paper book within a period of four weeks from today.
6. Interim Application stands disposed.
7. List the Appeal on 8 April 2026 for hearing.

(N.J.JAMADAR, J.)