

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 16118 OF 2024
IN
SECOND APPEAL NO. 820 OF 2024

Sheela Arun More ...Applicant

In the matter between

Sheela Arun More ...Appellant

Versus

Prakash Ramkrishna Vanarase and ors. ...Respondents

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KULKARNI

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Mr. Suresh Sabrad, a/w Vikrant Walawalkar and Shantanu
Sharma, for the Applicant.

Mr. Chintan Shah, for Respondent No.1.

CORAM: N. J. JAMADAR, J.

DATED: 11th FEBRUARY, 2026

PC:-

1. Heard the learned Counsel for the parties.
2. By a separate order, this Court has framed substantial questions of law, on which the appeal is required to be heard.
3. In the event the decree is executed during the pendency of the second appeal, the appellant – applicant would suffer irreparable loss. Therefore, the application deserves to be allowed to the extent of the stay to the execution and operation of the decree passed in RCS/780/1996 dated 5th August, 2000 subject to the following conditions:

(i) The appellant – applicant shall not create any third party rights in the suit flat during the pendency of the appeal.

(ii) The appellant – applicant shall not part with the possession of the suit flat.

4. The application stands disposed.

[N. J. JAMADAR, J.]