



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

WRIT PETITION NO.1779 OF 2026

Shri Manohar Narayanrao Dhoble and Another
Vs.
Smt. Prabha Satishrao Kamdi and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. U.A. Gosavi, Advocate for the Petitioners.
Mr. Kaustubh Patil, Advocate for the Respondent Nos.6 and 7.

CORAM: PRAFULLA S. KHUBALKAR, J.
DATED : 26th FEBRUARY, 2026

1. Heard learned counsel for the petitioners.
2. Petitioners' challenge is to the Order dated 22.12.2025 passed below Exh.6 in Regular Civil Appeal No.394/2025 by the Appellate Court thereby, rejecting the application for grant of stay to the execution of judgment and decree dated 02.09.2025 passed in Regular Civil Suit No.579/2008.
3. Learned counsel for the petitioners submits that despite the pendency of the appeal, the final decree proceedings are being prosecuted. He further submits that the copy of petition is already served upon the caveator for respondent No.1, however, nobody appears on behalf of respondent No.1/Caveator.
4. In view of this, issue notice to the respondents, returnable after four weeks.
5. Advocate Mr. Kaustubh Patil, waives service of notice on behalf of respondent Nos.6 and 7.

6. Petitioner is permitted to serve the respondents by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

7. In the meantime, any application for adjournment submitted by petitioners before the Executing Court, be considered by the Executing Court favorably.

CIVIL APPLICATION NO.510 OF 2026

8. By this application, the applicants seek permission to bring the legal representatives of the deceased respondent No.8 – Shri Kishor Narayanrao Dhoble on record, who expired on 31.01.2026 i.e. after the filing of the present petition.

9. Having regard to the contents of the application and submissions advanced, civil application is **allowed**. Applicants/Petitioners are permitted to bring on record the legal representatives of the deceased respondent No.8. Necessary amendment shall be carried out within a period of one week from today.

10. After the amendment is carried out, issue notice to the legal representatives of the deceased respondent No.8, returnable after four weeks.

11. Applicant is permitted to serve the legal representatives of the deceased respondent No.8 by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

12. In view of above, civil application is **disposed of**.

(PRAFULLA S. KHUBALKAR, J.)