

ORDERS ON I.A.No.I

The appellant has filed IA No.I under Order 41 Rule 5(i) R/w Section 151 of C.P.C, requesting this court to stay the operation of judgment and decree passed in OS No.254/2012 on the file of II additional Civil Judge and JMFC, Maddur

2. Heard both side.

3. It is say of the appellant that, the respondents by taking undue advantage of the decreed passed by the trial court is trying to interfere in his possession and enjoyment over the suit properties and also initiate final decree proceedings. If the respondents succeeded in doing so, he will be put to greater hardship and injury. Hence, this application. At this stage there are no reasons to discard these contentions of the appellant. As rightly contended by the appellant, if the respondents initiate the final decree proceedings or interfere in the possession of the appellant, very purpose of the appeal will be defeated. Under such circumstances, in order to avoid multiplicity of proceedings and to see that the suit property maintained, undisturbed and intact during the pendency of the appeal, it is just and necessary to allow the application. **Accordingly, Point No.1 is answered in the Affirmative** and this court proceeds to pass the following :

O R D E R

I.A.No.I filed by the appellant under Order 41 Rule 5(i) r/w Sec.151 of C.P.C. is hereby allowed and judgment and decree passed in OS

**No.254/2012 on the file of II additional
Civil Judge and JMFC, Maddur is hereby
stayed for period of 6 months.**

Call for TCR by:19.12.2023.

**(M.C. NANJE GOWDA)
ADDITIONAL SENIOR CIVIL JUDGE &
JMFC., MADDUR**