

ORDERS ON IA No.I

The appellants being aggrieved by the Judgment and Decree passed in OS No.543/2017 dated 03.01.2026, on the file of Prl. Civil Judge and JMFC, K.R.Nagar preferred this appeal U/o. 41 Rule 1 R/w Section 96 of CPC along with this application U/o. 41 Rule 5 of CPC seeking stay of operation of said Judgment and Decree.

2. This application is supported by sworn affidavit of the 3rd appellant along with certified copy of the Judgment and Decree. Wherein, the Trial Court has decreed the suit of the plaintiff. Further the record shows that, the respondent had filed original suit in OS No.543/2017 against the appellants for the relief of permanent injunction. The Trial Court was pleased to decree the suit of the plaintiff/respondent. On the basis of the said decree, the respondent has trying to execute the decree by filing execution petition.

3. Now it is apprehension of the appellants that, by making use of Judgment and Decree in O.S.No.543/2017, the plaintiff is making attempt to execute the judgment and decree by filing execution proceedings.

4. On the other hand, the respondent has appeared before this court through counsel and filed written arguments on merits.

5. Considering the nature of Judgment and Decree which is passed in original suit and considering the facts and circumstances

of the case, it is just and necessary to stay the execution and operation of impugned order, otherwise the very purpose of filing of this appeal will be defeated.

6. Thus, considering prayer of appellants and pending disposal of appeal, it is just and necessary to stay the execution and operation of impugned order. Accordingly, this court proceed to pass the following:

ORDER

The execution and operation of impugned order dated 03.01.2026 passed in O.S.No.543/2017 on the file of Prl. Civil Judge and JMFC, K.R.Nagar is hereby stayed till disposal of the appeal.

For respondent's arguments.

Call on: 21.04.2026.

**Sr. CJ and JMFC,
K.R.Nagar.**