

ORDERS ON IA No.III

The appellant has filed IA No.III under Section 151 of CPC prays for extend the stay order passed by this court on 09.12.2022.

2. On the other hand, the respondent has filed objection and contending that, the application filed by the appellant is not maintainable. Hence, prays for reject the application.

3. Heard arguments. Perused appeal memo. It could be seen that, the appellants being aggrieved by the judgment and decree passed in OS No.494/2014 dated 24.02.2021 on the file of learned Addl. Civil Judge and JMFC, K.R.Nagar preferred this appeal.

4. Further it could be seen that along with appeal the appellants filed application under Order 41 Rule 5 of CPC praying this court to stay the execution and operation of impugned judgment and decree passed by learned Addl. Civil Judge and JMFC in OS No.494/2014.

5. Further the record shows that, this court was passed an order that, the execution and operation of impugned judgment and decree passed in OS No.494/2014 was stayed till appear of the defendants.

6. Further the record shows that, the appellant was appeared before this court on 21.01.2023. But, the stay was not extended for the reason the appellants have not filed application. Now, the appellants come with this present application for extend the stay order.

7. Perused material available on record. It is noticed that, the respondents have filed execution petition before the trial court in No.74/2021 for executing the judgment and decree. If the stay order is not extended, the purpose of filing the present appeal will be defeated. Hence, the stay order passed by this court is extended until further orders.

For cross of PW-1.

Call on: 15.10.2024.

**Senior Civil Judge & JMFC,
K.R.Nagar.**