

MHRG040057772025



Spl.C.S. No. 453/2025
Paul Antony Perinchery & Ors.
Vs.
Tejas Enterprises & Ors.

Order passed below Exh. 42

01. This is an application filed by the defendant No. 01 & 02 for stay under O.41, R.5 of the Code of Civil Procedure, 1908.
02. Perused application. Perused say
03. Heard Ld. Advocates for both side.
04. An application is filed for stay, but it is not specifically mentioned that what operation of that order resulted in execution and thereby required to be stayed. Under O.41, R.5 if the order itself not executable, then it cannot be required to be stayed.
05. If by passing order below Exh. 05, the Court come to the conclusion that the plaintiffs have prima facie case, balance of convenience and irreparable loss, then temporarily restrained the defendants from doing specific act and if the order was passed along with reasons, then granting stay to that order is beyond the interest of justice. Therefore, I proceed to pass following order

Order

Application stands rejected.

Date :17/04/2026
Place :Panvel

(R. N. Chavan)
6th Joint Civil Judge; Sr. Div,
Panvel.