

RCA No.6/2018  
CNR MHBU04-000114/2018  
Namdeo Pahurkar  
Vs.  
Shantaram Pahurkar & ors

**Order below Exh.5**  
(Passed on 3.2.2018)

Read the application. Heard Mr. S.V. Agrawal, learned advocate for the appellant. Perused judgment and decree.

1] Mr. Agrawal submitted that the learned trial court has directed the plaintiff/appellant to make payment of the consideration amount as per the current market valuation of the suit property on the basis of valuation of Sub Registrar, Shegaon, within three months in a suit for preemption, else the suit shall be dismissed, instead of directing the plaintiff/appellant to pay the consideration as per the sale-deed executed by defendant no.1 in favour of defendant no.2. Since the appellant has challenged the correctness of the directions given in the operative part of the judgment, the decree impugned herein will have to be stayed. If the decree is not stayed the very purpose of filing of the appeal would be frustrated. The application, therefore, deserves to be allowed. Hence, I proceed to pass the following order.

**Order**

Application is allowed and effect and operation of the judgment and decree stands stayed till the disposal of appeal.

Inform accordingly to learned trial court.

Khamgaon.  
Date 3.2.2018

Sd/-  
**(V.T.Suryawanshi)**  
District Judge- 1, Khamgaon.

## Certificate

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Name of Court : D.J.-1 Court Khamgaon.

Name of Steno : V.D.Deulgaonkar.