



ORDER BELOW EXHIBIT NO. 7 IN
Civil Misc. Application No. 36/2020
**[Devidas Gajanan Kulkarni Vs. Gangubai alias Maya
Vaze Through P. O. A. Hemant Vinayak Joshi]**

This is the stay application for the execution of the judgment and decree passed in RCS No. 105/2000.

02. Perused the application. Perused the documents filed along with Sr. No.1 and 2 below Exh. 3. Perused the document filed along with Sr. No. 1 to 8 below Exh. 9. Perused the document filed along with Sr. No.1 below Exh. 10. Heard Ld. Advocate for the applicant.

03. Upon perusal of the 7/12 extract filed Sr. No. 1 to 8 below Exh. 9, it is appeared that applicants are having share in the properties which are the subject matter in RCS No. 105/2000. The present applicants are not the parties to the suit bearing RCS No. 105/2000. Thus, behind back of the applicant the judgment and decree of RCS No. 105/2000 is finalized. It is also appeared that Reg. Dar. No. 14/2015 is pending before the Ld. Civil Judge Jr. Dn., Malakapur-Shahuwadi, which is filed for the execution of judgment and decree passed in RCS No. 105/2000. If the execution in pretext of the said judgment and decree of RCS No. 105/2000 is completed then present applicant will suffer irreparable loss. Further their statutory rights are infringed. Considering this fact, it is necessary to stay the execution of judgment and decree passed in RCS No. 105/2000. It is also necessary that to award the

opportunity to the opponents before the final order on this application is passed. Thus, the order.

ORDER

01. Application is allowed as follows;
02. The execution of judgment and decree passed in RCS No. 105/2000 is stayed till appearance of the opponents.
03. Issue notice of this application to the opponents.

Date :- 06/02/2020.

(K. S. Kulkarni)
Ad-hoc District Judge – 4, Kolhapur