

MHKO050000902019

Regular Darkhast No.05 of 2019



Ramjan Abdul Sanadi-Aparadh

Vs.

Dastagir Babaso Sanadi-Aparadh + Ors.

**ORDER PASSED BELOW EXH.13****(Date : 06<sup>th</sup> April 2021)**

1. This is an application filed by all JD to stay the execution of proceeding till decision of original suit No.83/2014 after restoration. On the contrary the DH strongly opposed the application on the reason that JD are trying to prolonging the matte and thereby causing him illegal loss.

2. The execution proceeding is regarding the injunction to all the JD not to disturb and obstruct peaceful possession of the DH over the suit property. Perusal of Execution proceeding is seen that the DH has not claimed possession of suit property from the custody of defendant. He tries to protect his possession over the suit property. The application under Order 9 Rule 13 is registered. These two proceedings are different. Hence, this Court does not find any justification was staying the execution proceeding. Hence, I pass following order.

**ORDER**

1. The application rejected. No order as to costs.

Ichalkaranji.

Date : 06/04/2021.

Sd/-

( S. A. Harne)

Jt. Civil Judge Junior Division,

Ichalkaranji.

**C E R T I F I C A T E**

I affirm that the contents of this P.D.F. File judgment/order are same, word to word, as per the original judgment/order.

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|---------------------------------|---|--|
| Name of the Stenographer        | - | Shri. C. R. Patil (Grade-III)                  |
| Name of Court                   | - | Jt. Civil Judge Junior Division, Ichalkaranji. |
| Date of Dictation               | - | 06/04/2021                                     |
| Judgment signed by the P.O. on- |   | 06/04/2021                                     |
| Judgment uploaded on            | - | 06/04/2021                                     |