

	<b>ORDER PASSED BELOW EXH. 01 IN R.D.NO.10/2016</b>
	(Passed on 13 <sup>th</sup> day of November, 2025)
	<b>Jaitunbee Vs. Mehtab and others</b>
	<b>CNR NO. MHLA050009172025</b>

1. The present execution petition is filed in view of the decree passed in R.C.S. No.144/2006.
2. The execution proceedings were earlier stayed in view of the stay order passed in R.C.A. No.51/2015 and R.C.A. No.52/2015 preferred against the said decree.
3. The said appeals have now been finally decided by the Hon'ble Appellate Court by a common judgment, whereby the decree passed in R.C.S. No.144/2006 has been set aside and substituted as per the modified decree in appeal.
4. As the appeals have been finally disposed of, the stay order granted earlier stands vacated. There is no stay in force against the execution of the modified decree.
5. This court had directed both parties to file an affidavit regarding the subsistence of stay, but despite sufficient opportunity, no such affidavit has been filed by the either party, though said appeals decided on 10/01/2024. From this date till today the decree holder has not taken any effective steps.
6. In absence of any material showing that the decree is stayed, this court proceed further in execution in view of the modified decrees passed by the appellate court. Hence, I pass following order.

**ORDER**

1. It is hereby ordered that, the execution petition shall proceed further in accordance with the modified decree passed in R.C.A. No.51/2015 and 52/2015.
2. The decree holder is hereby directed proceed with the modified decree, if he failed this court will pass necessary orders on next date.

Date:- 13/11/2025

Place:- Ahmedpur

**( R.D. Wabale )**

Jt. Civil Judge Senior Division  
Ahmedpur