

Order below Exh.9 in R.C.A.No.64/2025
(CNR No. MHNS100015732025)

By filing this application, appellant has prayed for stay to the operation and execution of the Judgment and decree dated 15th April, 2023 passed by the Ld. Trial court in R.C.S.No. 88/2014 on the ground that respondents have filed execution proceedings before the Executing Court for the execution of Judgment and decree passed in R.C.S.No.88/2014 and that they have filed this appeal to challenge the Judgment and decree passed by the Ld. Trial court.

2. By filing say at Exh. 22 to this application, respondents have strongly opposed this application and prayed for the dismissal of this application.

3. I have heard both the sides. I have also perused written arguments of respondent at Exh.23. It is not in dispute that execution proceeding is filed before the executing court for the execution of Judgment and decree passed by the Ld. Trial court and that the said Judgment and decree is challenged by filing this appeal and that it may take time for the disposal of this appeal. Under the circumstances I am of the view that operation and execution of the Judgment and decree passed by the Ld. Trial court should be stayed till the disposal of this appeal and that appeal should be expedited. Hence, I pass following order :

ORDER

1. Application is allowed.
2. Operation and execution of the Judgment and decree dated 15.04.2023 passed in R.C.S.No.88/2014 by the Ld. Trial court i.e. Jt. C.J.J.D., Chandwad is hereby stayed till the disposal of the appeal.

3. This appeal is expedited.
4. Inform the Ld. Executing Court accordingly.

Date : 02.04.2026
Place : Niphad

(Abdussalam A.A.Shaikh)
District Judge-1,
Niphad.