

REG. CIVIL APPEAL NO. 5/2024

Laxman Shankar Gaikwad & ors.
Vs.
Smt. Tulsabai Shankar Nanaware & ors.

ORDER BELOW EXH.5

Heard Ld. Advocate Shri. A. P. Chaugule for the appellants. None appeared for the respondent.

02 Ld. advocate for the appellant submitted to grant stay to the execution of Judgment and Decree.

03 On perusal of Judgment and Decree dated 23.02.2022 in R.C.S. No. 476/2013 passed by Ld. Civil Judge Jr. Division, Baramati, shows that suit for partition is decreed and said decree is directed to be sent to the Collector for partition. Thus, if said decree is sent to the Collector and if it is executed, then present appeal become infructuous. More so, there are factual and legal arguable points involved in the appeal, so, it is just and proper to stay the execution of decree. Hence, the order:-

ORDER

Execution of judgment and decree dated 23.02.2022 in R.C.S. No. 476/2013 passed by Ld. Civil Judge Jr. Division, Baramati, hereby stayed till 01.07.2024 or till the disposal of appeal, whichever is earlier.

Sd/- x x x

(J.A. Shaikh)

Date: 03.04.2024

Addl. Sessions Judge. Baramati.

I affirm that the contents of this P.D.F. file order are same word for word as per original order.

Name of Steno.	:-	Smt. V.S.Sonawadekar Stenographer (I)
Court Name	:-	Shri. J. A. Shaikh, Additional Sessions Judge, Baramati
Date	:-	03.04.2024
order signed by P.O. on	:-	03.04.2024
order uploaded on	:-	03.04.2024