

Order Below Exh.86 In Reg. Darkhast No.61/2014
(Pratap Jadhav etc Vs. Keshav Sarnobat etc.)

Perused the application. D.H has filed this application for giving the amounts mentioned in the application and deposited by the J.D to the D.H.J.D No. 10,11,12 and 16 submitted that the application is not tenable and appeal is pending in the High Court. Though there is appeal pending in the present case but there is no stay to the proceedings. After sufficient opportunities also J.D has failed to file stay order. As on today also as per status report there is no stay to the proceedings and matter is for pre-admission stage. Hence, in the absence of any stay order if the amount deposited by the J.D is not given to the D.H then it will cause injustice to the D.H even after getting fruits of justice. Hence, in the interest of justice it is necessary to allow the application. Hence I pass the following order:

ORDER

A.S to verify the amount and then after due identification of D.H. give the amount prayed to the D.H.

Islampur.
Date- 01/08/2018

(Sou. S. V. Patil-Metil)
IVth Jt. Civil Judge Jr.Dn., Islampur.