

Order in Decree Final Application No. 4/2019
below Exh. 23 & 24

CNR-MHSN12-001131-2019

(Aishwarya Ghule V/s Anita Salunkhe etc)

The decree holder vide Exh.23 filed application to array JD NO. 3 to 5. The JD filed to failed to file say. In the same way the DH vide Exh.24 prayed to restrain the JD from alienating the suit property to restrain and from carrying out consideration over suit property.

2. Heard the learned Advocate for D H and J D at length. Perused the record. The effect and operating execution of present decree in dispute is stayed by Hon'ble High Court in Second Appeal No. 496 of 2020 on 22 Nof. 2021. The next date is fixed on 14.02.2024.

3. Admittedly, the present D H has filed another suit of T I bearing RCS No. 80/ 2024 and this matter is pending for same kind of relief of T. I.

4. Hence, I am of view that as the Hon'ble High Court stayed the present Final Decree, this court become functus officio to proceed further with the Final Decree. Hence, application vide Exh. 23 and 24 are rejected.

Place : Palus.
Date : 25/11/2024

(I. A. Y. A. Khan)
Jt. Civil Judge Jr.Dn., Palus.

CERTIFICATE

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

Name of Stenographer : Mrs. Jyoti A. Salunkhe
Stenographer Grade III

Court : Jt. C.J.J.D. & J.M.F.C., Palus

Date : 25/11/2024

Signed by P. O. on : 25/11/2024

Uploaded on : 28/11/2024