

ORDER BELOW EXH 5 IN RCA NO.26/2025
(Meena Udhav Vibhute Vs. Uttam Pandurang Vibhute)
(CNR NO.MHSN170005102025)

1. This is an application filed by the appellant for staying execution of Judgment and decree dt. 27.01.2025 in RCS No.26/2011 passed by Ld. CJJD, Atpadi. Perused the application. Heard Ld. Counsel Shri S.R. Hingmire for the appellant. Respondent No.1 is represented by Ld. Counsel Shri S.G. Mane who has also advanced arguments.

2. Considering material on record, the appellant had purchased property Gat No.179 as per sale deed of the year 2011 prior to the date of suit. The appellant has vested interest in the suit property. Ld.Trial Court has granted relief of partition and separate possession to parties to the suit. In such circumstances, execution of the decree would affect rights of the appellant in the said property allegedly claimed on the strength of registered sale deed. For this reason, execution of impugned Judgment and decree is liable to be stayed. Hence, I pass the following order :-

ORDER

1. Application Exh.5 is allowed.
2. Effect and execution of Judgment and decree dt. 27.01.2025 in RCS No.26/2011 passed by Ld. CJJD, Atpadi is hereby stayed till further order.

Vita
dt.09.05.2025

(R.R.Bhagwat)
District Judge-1,Vita.

CERTIFICATE

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

Name of Stenographer : S.V.Agnihotri (Steno Grade-1)
Court : DJ-1 & Addl. Sessions Judge, Vita.
Date of order : 09.05.2025
Signed by Presiding officer on : 09.05.2025
Uploaded on : 09.05.2025