

ORDER BELOW EXH. 50 IN Spl.R.D.No.42/2018
(CNR No. : MHSO06-000350-2018)

By this application, J.D.No.1 and 3 prayed to stay the order passed below Exh.49.

02. J.D.No.2 is dead and his successor yet not added in the proceeding. In the order below Exh.26 the court has fixed the responsibility of execution upon J.D.Nos.4 and 5 yet the fixation of remuneration has not completed. Hence, he prayed to stay the order passed below Exh.49.

03. Learned Counsel of D.H. has objected the application by saying that it is illegal. Several opportunity has been granted for disbursement of back wages. In their say J.D.No.1 to 5 have not objected for giving back wages. They can not act against the decree. Hence, he prayed for rejection of the application.

04. Heard both sides. Learned Counsel for opponent Nos. 1 to 3 submits that, by the order Exh.26 the court has directed J.D.Nos. 4 and 5 for execution of the decree. But, by the order Exh.26 only issuance of letter for paying back wages. That does not mean that, responsibility of payment of back wages is only of J.D. Nos. 4 and 5. As the decree is against JD. No. 1 to 5 I do not find any reason to stay the order passed below Exh.49. Hence, the application is rejected.

Sd/-

(Archana S. Nalge)

Date : 17/12/2021.

2nd Jt. Civil Judge S. D., Pandharpur.

C E R T I F I C A T E

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment.

a Name of the Stenographer : Shirsikar V.G.
b Court : 2nd Jt. Civil Judge S.D.Pandharpur
c Date of Judgment : 17/12/2021
d Judgment signed by P.O. On : 17/12/2021
e Judgment uploaded on : 17/12/2021