

**Regu.Civil Appeal No. 48/2025**  
Devanand Bansod ..Vs.. Ramdas Sthul,  
(CNR No.MHYA010010232025)

**ORAL ORDER BELOW EXH.5**

1. This is an application to stay the effect and operation of the common judgment and decree passed by the learned trial court. Perused the record.

2. It is submitted by the learned counsel for the appellant that the relief of specific performance of contract has not been granted in favour of the appellant, whereas the relief of perpetual injunction has been granted against the appellant. It is submitted that the prayer for temporary injunction made by the respondent was rejected upto the stage of the appellate court.

3. *Per contra*, it is submitted by the learned counsel for the respondent that the possession of the land in question was to be delivered at the time of execution of sale deed, as per the alleged agreement. He further submitted that the amount, as directed, has already been deposited.

4. It has to be decided by this court on the merits of the case, as to whether the impugned judgment and decree relating to the relief of specific performance of contract is correct or not. Likewise, the question of correctness or otherwise of the judgment and decree relating to the relief of perpetual injunction, which has been granted, has to be tested by this court, in this appeal.

5. It is seen that the relief of temporary injunction was rejected by the learned court below as well as the appellate court, as the consequence whereof, there was no order of temporary injunction, right from the year 2014. In such scenario, this court is of the considered view that the impugned judgment and decree warrants to be stayed, of course, by expediting the hearing of the appeal, so as to ensure that no party is prejudiced thereby. Consequently, the application for stay is hereby allowed, in terms of the prayer clause. The hearing of the appeal is hereby expedited and an endeavor shall be made to decide the appeal within two months from today, on the merits thereof. The parties are hereby directed to cooperate, failing which, necessary legal consequences may entail. The application stands allowed, accordingly,

Place: Yavatmal.  
Date: 21/11/2025

**(S.U. Baghele)**  
District Judge-1,  
Yavatmal.