

ORDER BELOW EXH.02

(Dt.15-03-2023)

Read application. Perused the record. Heard. The learned trial court has decreed the suit RCS No.11/2017 and asked the Collector, Yavatmal to make partition of the suit land with the aid of section 54 of C.P.C. The defendants have challenged the decree.

2. A perusal of appeal memo, several questions are raised, which need adjudication in appeal. Therefore, let the decree be executed under section 54 of C.P.C. till the stage of actual handing over the possession by the revenue authorities to the parties as mentioned in the decree. Until that, there is no stay to the execution of the decree. In other word the express stay is for putting the parties into possession of the separated share of the suit land. The concern Tahsildar/ Collector be informed accordingly. The record and proceeding be called. The application Exh.2 is disposed off.

Dated : 15-03-2023.

(H.S. Satbhai)
District Judge-2,
Kelapur