

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

F. A. No. 206 OF 2017

1. Smt. Akhtari Begum W/o Late Naeemullah Khan, Aged About 65 Years R/o Balaji Ward, Near Kapur Tent, Jagdalpur, Chhattisgarh
2. Azmatullah @ Chhotu S/o Late Naeemullah Khan, Aged About 34 Years R/o Balaji Ward, Near Kapur Tent, Jagdalpur, Chhattisgarh
3. Zaitullah @ Guddu S/o Late Naeemullah Khan, Aged About 44 Years R/o Balaji Ward, Near Kapur Tent, Jagdalpur, Chhattisgarh

---- Appellants**Versus**

Mohammad Akhtar Khokhar S/o Shri Allanoor Khokhar, Aged About 57 Years R/o Indira Ward, Jagdalpur, Chhattisgarh

---- Respondent

01/08/2017	Mr. Varun Sharma, Advocate for the appellants. Ms. Priyanka Mehta, Advocate for the respondent. Heard on admission. Admit. Since respondent has already made his appearance, therefore, no notice is required to be issued to him. <u>Also heard on I.A. No. 01/2017.</u> This is an application filed under Order 41 Rule 5 of the CPC for staying the effect and operation of the impugned judgment and decree dated 30/03/2017 passed by Third Additional District Judge, Bastar, place Jagdalpur (C.G.) in Civil Suit No. 1-A/2005, pending decision of this appeal. On due consideration, the application (I. A. No. 01/2017) is allowed and it is

directed that the effect and operation of the impugned decree dated 30/03/2017 passed by Third Additional District Judge, Bastar, place Jagdalpur (C.G.) in Civil Suit No. 1-A/2005, shall remain stayed pending decision of this appeal subject to furnishing security of Rs. 25,000/- to the satisfaction of the Trial Court/Executing Court within a period of two months from today for due performance of the decree ultimately to be passed by this Court.

Post this matter for final hearing in its due course.

Sd/-

(Sanjay Agrawal)
Judge