



HIGH COURT OF CHHATTISGARH AT BILASPUR

**NIKITA
JAIN**

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FA No. 35 of 2026

1 - M/s Indian Alloys Plot No. 68, Industrial Area Bhilai Tehsil And District- Durg Chhattisgarh Through Proprietor Smt. Parminder Kaur W/o Late Shri Kamaljeet S. Virk Age 45 Years, Occupation Household, R/o 39, Kailash Nagar Housing Board, Bhilai Tehsil And District- Durg, Chhattisgarh

2 - Parminder Kaur W/o Late Shri Kamaljeet S. Virk Aged About 45 Years Occupation Household, R/o 39, Kailash Nagar Housing Board, Bhilai, Tehsil And District- Durg, Chhattisgarh

3 - Prakashrup Virk S/o Late Shri Kamaljeet S. Virk Aged About 17 Years Occupation Student, Minor Through Mother Smt. Parminder Kaur, W/o Late Shri Kamaljeet S. Virk, Aged 45 Years, Occupation Household, R/o 39, Kailash Nagar Housing Board, Bhilai, Tehsil And Distt. Durg, Chhattisgarh
... Appellants

versus

1 - M/s Aditya Enterprises Through Proprietor Aditya Kumar Basotia, S/o Shri Ramchandra Basotia, Age 50 Years, R/o G.E. Road, Telhanala, Khursipar, Bhilai, Tehsil And District- Durg, Chhattisgarh

2 - Aditya Kumar Basotia S/o Shri Ramchandra Basotia Aged About 50 Years R/o G.E. Road, Telhanala, Khursipar, Bhilai, Tehsil And District Durg, Chhattisgarh **... Respondents**

Order Sheet

27/02/2026	Shri Ayush Mittal, counsel for the Appellants. Ms. Anuja Sharma, counsel appears along with Shri Vinamra Shrivastava, counsel on behalf of Shri Aman Pandey, counsel for the Respondents on caveat. Heard on admission. Admit. No notice is required to be issued to the respondents as they have already made their appearance through their counsel. Also heard on I.A. No.01, an application filed under Order 41 Rule 5 of CPC, 1908 praying for staying the effect and operation of the impugned judgment and decree dated 16.12.2025 passed by the Fifth District Judge, Durg (C.G.) in Civil Suit No.08/B/2020, pending decision of this appeal. No reply has been filed with regard to the said application. On due consideration, the said application is allowed

and it is directed that the effect and operation of the impugned judgment and decree dated 16.12.2025 passed by the Fifth District Judge, Durg (C.G.) in Civil Suit No.08/B/2020 shall remain stayed until further orders, subject to appellant's depositing 50% of the decretal amount before the concerned executing Court within a period of 90 days from today. The Respondents are entitled to withdraw the same upon furnishing the requisite security to the satisfaction of the concerned executing Court.

It is made clear that if any of the condition is violated, then this order shall lose its efficacy and the judgment and decree under appeal shall become executable forthwith.

I.A. No.01, thus, stands disposed of.

Call for record of the Court below and post this matter for final hearing in its turn.

In the meantime, counsel for the appellants is directed to furnish the paper book as required under Rule 181 of the C.G. High Court Rules, 2007.

Sd/-
(**Sanjay S. Agrawal**)
Judge

Sd/-
(**Amitendra Kishore Prasad**)
Judge