

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

FA No. 127 of 2020

Rambai Gupta **Versus** Tulendra Sahu

19.06.2020	Shri Ravindra Agrawal, counsel for the appellant. Heard. Admit. Call for the record. Issue notice to respondent along with I.A. No.1 on payment of process fee as per rules. Looking to the provisions of Order 41 Rule 1 Sub-rule 3 and Order 41 Rule 5 Sub-rule 5 of the Code of Civil Procedure and the judicial precedent laid down by the Hon'ble Supreme Court in the matter of <i>Malwa Strips Private Ltd vs Jyoti Ltd</i> {(2009) 2 SCC 426} it is ordered that if appellant deposits 50% of the decretal amount and furnish one solvent surety for remaining part within two months to the satisfaction of the executing Court to abide by the terms and conditions of the due performance of the decree ultimately be passed by this Court, then the execution of the impugned decree be stayed till the next date of hearing. The amount, so deposited, may be withdrawn by respondent No. 1 after furnishing adequate surety to the satisfaction of the executing Court. Fix this case after five weeks. Sd/- Sharad Kumar Gupta Judge	