

**HIGH COURT OF CHHATTISGARH, BILASPUR**

Order Sheet

**FA No. 200 of 2019**

Kripa Shanker @ Sanjay Pandey **-Versus-** Vijendra Bhatnagar

<b>17/11/2021</b>	<p>Mr. Khilesh Sahu, Advocate on behalf of Mr. Pankaj Singh, Advocate for the appellant.</p> <p>Mr. Ravindra Sharma, Advocate for the respondent.</p> <p>Heard on I.A. No.3, which is an application under Order 41 Rule 5.</p> <p>By way of the said application the appellant is seeking stay of the execution of the judgment and decree dated 03.08.2018 passed by the Court of 2<sup>nd</sup> Additional Judge to the Court of 1<sup>st</sup> Additional District Judge, Raipur in Civil Suit No. 26B/2012.</p> <p>Considering the fact that it is a money decree where the suit has been decided in favour of the respondent/plaintiff directing the appellant to pay an amount of Rs.21 lakhs with interest @6% per annum from the date of institution of the suit till realization of the said amount.</p> <p>On due consideration we are inclined to stay the execution of the said judgment and decree till the next date of hearing subject to the appellant furnishing a bank guarantee for an amount of Rs.21 lakhs within</p>

a period of 4 weeks before the trial Court and the bank guarantee shall not be encashed by the appellant without the leave of this Court or the final decision in this appeal, which ever is earlier.

Let the appeal be listed for final hearing along with FA No. 317/2019. Meanwhile, the appellant within a period of 8 weeks shall also ensure filing of paper book.

Sd/-  
**(P. Sam Koshy)**  
Judge

Sd/-  
**(Parth Prateem Sahu)**  
Judge