

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

F.A. No. 596 of 2018.

Kishore Awasthi, S/o late Shri Shankar Dayal Awasthi, aged about 49 years, R/o Gandhi Mandir Ward, Near Jaistambh Chowk, Bhatapara, Tahsil and District Baloda Bazar Bhatapara (CG).

----Appellant

Versus

1. Smt. Abha Dixit @ Savitri, Wd/o Late Shri Ashok Kumar Dixit, aged about 57 years, R/o Malviya Road, Vyas Gali, Behind Big Shop Raipur, Tahsil and District Raipur (CG).
2. Smt. Sumitra, Wd/o Shri Shant Prakash Mishra, aged about 62 years, R/o near Govt. Hospital, Beside Dr. Adil, Bhatapara, Tahsil Bhatapara, District Baloda Bazar Bhatapara.
3. Smt. Kaushilya Mishra, W/o Shri Laxminarayan Mishra, aged about 60 years, R/o Village Dadhi Bemetara, Post Dadhi, District Bemetara (CG).
4. Smt. Uma Shukla, W/o Shri Ashok Kumar Shukla, aged about 56 years, R/o Malviya Road, Vyas Gali, Behind Big Shop, Raipur, Tahsil and District Raipur (CG).
5. Smt. Rama Tripathi, W/o Dr. Chandrakant Tripathi, aged about 50 years, R/o Balaji Ward, Near Jhankar Talkies, Tahsil and District Bastar (CG).
6. Shyam Sundar Awasthi, S/o late Shri Shankar Dayal Awasthi, aged about 59 years, R/o Gandhi Mandir Ward, near Govt. Hospital, Bhatapara, Tahsil Bhatapara, District Baloda Bazar Bhatapara (CG).

----Respondents

23/01/2020	<p>Mr. H.B. Agrawal, Sr. Advocate with Ms. Richa Dwivedi, Advocate for the appellant.</p> <p>Mr. Rishikant Mahobia, Advocate for respondent No.1.</p> <p>Mr. Shubhank Tiwari, Advocate for respondents No.2 to 6.</p> <p>Heard on I.A. No.1/2018 application under Order 41 Rule 5 of Code of Civil Procedure.</p> <p>Looking to the facts and circumstances of the case, I.A. No.1/2018 is allowed. The effect and operation of the impugned judgment and decree dated 11.10.2018 passed by Additional District Judge, Bhatapara in Civil Suit No.H-13A/2015 is stayed till further orders, if the appellant furnishes one solvent surety for a sum of Rs.50,000/- to perform the judgment and decree which may ultimately be passed by this Court to the satisfaction of the executing Court.</p> <p style="text-align: center;">Fix this case for final argument on 25th June, 2020.</p> <p style="text-align: right;">Sd/- (Sharad Kumar Gupta) Judge</p>
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