

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WEDNESDAY, THE SECOND DAY OF MAY,
TWO THOUSAND AND EIGHTEEN

:PRESENT:

THE HONOURABLE DR. JUSTICE B.SIVA SANKARA RAO

IA No. 2 OF 2018
IN
CCCA NO: 132 OF 2018

Between:

(Shankar Rao Bawgikar died as per his LRs, 1st defendant in O.S. No. 189/2002)

1. Usha Bawgikar, W/o Late Shankar Rao Bawgikar
2. Dr. Surya Kumar Bawgikar, S/o Late Shankar Rao Bawgikar
3. Smt Hema, D/o Late Shanker Rao Bawgikar,
4. Sangita Bawgikar, D/o Late Shankar Rao Bawgikar

Appellants/ Defendants 15, 16, 17 & 18
(Appellants in CCCA 132 OF 2018
on the file of High Court)

AND

Gopal Rao Bawgikar, (died as per LRs. 2 to 5), S/o Late Bhimarao Bawgikar

Smt. Vimal Gopal Rao Bawgikar, (died as per LRs 3 to 5), W/o Late Gopal Rao Bawgikar

Sri Devidas Gopal Rao Bawgikar, (died) as per LRs 6 to 9), S/o Late Gopal Rao Bawgikar

1. Sri Durgadas Gopal Rao Bawgikar, S/o Late Bhimarao Bawgikar, R/o H.No. 5-1-223/1, Sunder Bhawan, Jambagh, Hyderabad (Son & LR of R-1)
...Respondent/Plaintiff-4
2. Shama Narayanpetkar, D/o Late Gopal Rao Bawgikar, W/o Gopal Rao Narayanpetkar, R/o H.No. 5-1-223/1, Sunder Bhawan, Jambagh, Hyderabad (LR of R-1)
Respondent/Plaintiff-5
- Smt. Smitha @ Jyothi, W/o Late Devidas Gopal Rao Bawgikar (died per LR of R-3)
3. Bheema Shankar, S/o Late Devidas Gopal Rao Bawgikar, R/o Babanagar, Nanded, Karnataka State, (Son & Lr of R3)
Resodnent/Plaintiff-7
4. Kum. Pratima, D/o Late Devidas Gopal Rao Bawgikar, W/o Radhesh Chidgopakar, R/o Dilsukhnagar, Hyderabad (Daughter & Lr of R-3)
---Resodent/Plaintiff-8
5. Master Gopal, S/o Late Devidas Gopal Rao Bawgikar, R/o Baba Nagar, Nanded, Maharashtra State (son & Lr of R-3)
---Respondent/Plaintiff-9

Smt Kalavati Bai Patil, D/o Late Bhimrao Bawgikar (died) per LRs, Defendant No. 5 to 8,

Smt. Sarala, W/o Govind Rao, (died per LRs)

6. Smt. Latha Kashikar, W/o Late Prabhkar Rao Kashikar, R/o H.No. 5-2-1015, M.J. Market Road, Hyderabad (LR)
....Respondent/Defendant-4
7. Sri Vijayendra V. Patil, S/o Vasudeva Rao Patil, R/o Plot No. 52, Shivnagar, Papnasi Road, Bankers Colony, Bidar (Karnataka)(son & LR of R-10)
---Respondent/Defendant-5
8. Sri Rajendra V. Patil, S/o Vasudeva Rao Patil, R/o H.No. Vithalnagar, Opp: Amul Bakery, Nanded, Maharashtra State (Son & LR of R-10)
---Respondent/Defendant-6
9. Smt. Sharyu Korwar, W/o Dattatreya Rao Korwar, D/o Late Smt Kalavati Bal Patil, R/o CIDCO No. 3-427 Aurnagabad, Maharashtra State, rep by her GPA Sri Vijayendra Patil, S/o Lae Vasudeva Rao Patil, R/o 19-1-240, Banker Colony Bidar, Karnataka (daughter & LR of R-10)
---Respondent/Defendant-7

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10. Smt. Shubhangi Wadgaonkar, W/o Late Arvind Adgaonkar, D/o Late Smt Kalavati Bai Patil, R/o C/o Sri Vijayendra Patil, Plot No. 52, Shivnagar, Banker Colony, Bidar, Karnataka (daughter & LR or R-10)
--Resondents/Defendant-8
 11. Smt Y. Manjula, W/o Y. Anant Kumar, R/o LIG 345, APHB Colony, Moula Ali, Hyderabad (daughter & LR of R-11)
---Resondent/Defendant-9
 12. Sri K. Mangesh, S/o Late K. Govinda Rao, R/o 5-11-11, NFC Main Road, Hyderabad, (Son of LR of R-11)
---Respondent/Defendant-10
 13. Smt Madhluri Korwar, W/o Dilip Korwar, R/o Sai Bhavani Enclave, Flat N. 304, Ganga Block, Ganesh Nagar, Road No.3, Ramanthapur, Hyderabad (daughter & LR of R-11)
..Respondent/Defendant-11
 14. Megha K. W/o Late K. Vijay Kumar, R/o G-1, Raghavendra Apartment, Dharam Karam Road, Amerpet, Hyderabad,, 22 K. Manoj, S/o Late K. Govind Rao, R/o LIG 345, APHB Colony, Moulali, Hyderabad (daughter & LR of R-11)
--Respondent/Defendant-12
 15. K. Manoj, S/o Late K. Govind Rao, R/o LIG 34, APHB Colony, Moulali, Hyderabad (Son & LR of R-11)
-Respondent/Defendant-13
 16. K. Mukesh, S/o Late K. Govind Rao, R/o LIG 345, APHB Colony, Moulali, Hyderabad (daughter & LR of R-11)
---Respondent/Defendant-14/
Respondents/Plaintiffs/Defendants

Counsel for the Petitioners : Sri MIRZA NISAR AHMED BAIG
Counsel for the Respondents : .

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to grant stay of all further proceedings made in judgment and decree in OS.No.189 of 2002, dt.02-02-2018 on the file of the Court of Additional Judge-cum-VI Senior Civil Judge, CCC, Hyderabad including passing of final decree and also execution of judgment and decree dt.02-02-2018 in OS.No.106 of 2010, pending disposal of CCCA No. 132 of 2018, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER:

Heard.

There shall be interim stay of execution of passing of final decree for eight (8) weeks however, there is no bar in filing application for division of properties and ascertainment of any future profits if at all subject to deposit of half of the suit costs on or before 19-06-2018.

Sd/- T.YAKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Additional Judge-cum-VI Senior Civil Judge, City Civil Court, at Hyderabad
2. Sri Durgadas Gopal Rao Bawgikar, S/o Late Bhimarao Bawgikar, R/o H.No. 5-1-223/1, Sunder Bhawan, Jambagh, Hyderabad
3. Shama Narayanpetkar, D/o Late Gopal Rao Bawgikar, W/o Gopal Rao Narayanpetkar, R/o H.No. 5-1-223/1, Sunder Bhawan, Jambagh, Hyderabad
4. Bheema Shankar, S/o Late Devidas Gopal Rao Bawgikar, R/o Babanagar, Nanded, Karnataka State
5. Kum. Pratima, D/o Late Devidas Gopal Rao Bawgikar, W/o Radhesh Chidgopakar, R/o Dilsukhnagar, Hyderabad
6. Master Gopal, S/o Late Devidas Gopal Rao Bawgikar, R/o Baba Nagar, Nanded, Maharashtra State
7. Smt. Latha Kashikar, W/o Late Prabhkar Rao Kashikar, R/o H.No. 5-2-1015, M.J. Market Road, Hyderabad

8. Sri Vijayendra V. Patil, S/o Vasudeva Rao Patil, R/o Plot No. 52, Shivnagar, Papnasi Road, Bankers Colony, Bidar (Karnataka)
 9. Sri Rajendra V. Patil, S/o Vasudeva Rao Patil, R/o H.No. Vithalnagar, Opp: Amul Bakery, Nanded, Maharashtra State
 10. Smt. Sharyu Korwar, W/o Dattatreya Rao Korwar, D/o Late Smt Kalavati Bal Patil, R/o CIDCO No. 3-427 Aurnagabad, Maharashtra State, rep by her GPA Sri Vijayendra Patil, S/o Lae Vasudeva Rao Patil, R/o 19-1-240, Banker Colony Bidar, Karnataka
 11. Smt. Shubhangi Wadgaonkar, W/o Late Arvind Adgaonkar, D/o Late Smt Kalavati Bai Patil, R/o C/o Sri Vijayendra Patil, Plot No. 52, Shivnagar, Banker Colony, Bidar, Karnataka
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 13. Sri K. Mangesh, S/o Late K. Govinda Rao, R/o 5-11-11, NFC Main Road, Hyderabad,
 14. Smt Madhluri Korwar, W/o Dilip Korwar, R/o Sai Bhavani Enclave, Flat N. 304, Ganga Block, Ganesh Nagar, Road No.3, Ramanthapur, Hyderabad
 15. Megha K. W/o Late K. Vijay Kumar, R/o G-1, Raghavendra Apartment, Dharam Karam Road, Amerpet, Hyderabad,, 22 K. Manoj, S/o Late K. Govind Rao, R/o LIG 345, APHB Colony, Moulali, Hyderabad
 16. K. Manoj, S/o Late K. Govind Rao, R/o LIG 34, APHB Colony, Moulali, Hyderabad
 17. K. Mukesh, S/o Late K. Govind Rao, R/o LIG 345, APHB Colony, Moulali, Hyderabad
- (Addressee Nos 2 to 17 BY RPAD)**
18. One CC to Sri. Mirza Nisar Ahmed Baig, Advocate [OPUC]
 19. One spare copy

Skm

HIGH COURT

Dr. SSRB,J

DATED:02/05/2018

ORDER

**IA. NO. 2 OF 2018
IN
CCCA.No.132 of 2018**

INTERIM STAY



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