

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3303 OF 2013

Rajesh Prabhakar Mishra .. Petitioner.
Vs.
Padmakar Vasudev Mishra & Ors. .. Respondents.

Mr. S. K. Dubey for the petitioner.
Ms. R. C. Nichani for the respondent no.1.

CORAM : SMT. VASANTI. A. NAIK , J.

DATED : 16TH JULY, 2013.

P.C. :

Heard.

Rule, rule made returnable early.

It prima facie appears on hearing the learned counsel for the parties that the respondent no.1, being the judgment-debtor, could not have filed the execution proceedings before the City Civil Court for execution of the decree passed by the Co-operative Court in favour of the respondent no.2 – society, the decree holder.

Hence the impugned order is stayed during the pendency of the writ petition.

(VASANTI. A. NAIK, J.)