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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER (ST) NO. 12884 OF 2025
WITH
INTERIM APPLICATION (ST) NO. 12885 OF 2025**

Mr. Omprakash Hriday Narayan Pandey... Appellant/Applicant

Vs.

Vidyadhar V. Tiwari ... Respondent

Mr. Priyanshu S. Mishra for the Appellant/Applicant.

CORAM : GAURI GODSE, J.

DATE : 21st APRIL 2025

ORDER :

1. Mentioned out of turn after the regular board was discharged.
2. Heard learned counsel for the appellant. Learned counsel for the appellant submits that the appellant's application for setting aside ex-parte decree with a prayer for condonation of delay is dismissed. He submits that the ex-parte decree is a money decree in a summary suit directing the appellant to pay the amount. He submits that the next date in the execution proceeding is 28th April 2025.

3. Learned counsel for the appellant submits that the appellant is ready to secure the decretal amount by depositing the amount in

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this court within four weeks. Statement made on behalf of the appellant is accepted as an undertaking to this court. The appellant is permitted to deposit the entire decretal amount in this court within four weeks from today.

4. Issue notice to the respondent returnable on 23rd June 2025.
5. In addition to the court notice, learned Advocate for the appellant to serve the respondent by private service and file service affidavit before the next date.
6. Subject to the appellant depositing the decretal amount in this court within four weeks, further proceedings in the execution application shall remain stayed.
7. It is clarified that if copies are not supplied for issuing court notice, the ad-interim protection granted by this order shall stand vacated.

[GAURI GODSE, J.]