



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

974 CIVIL APPLICATION NO. 1016 OF 2024
IN SA/168/2022
WITH SECOND APPEAL NO. 279 OF 2018
WITH CIVIL APPLICATION NO. 5232 OF 2018
IN SA/279/2018
WITH SECOND APPEAL NO. 410 OF 2022
WITH SECOND APPEAL NO. 168 OF 2022
WITH CIVIL APPLICATION NO. 4574 OF 2022
IN SA/168/2022

SUBHASH PANDURANG BHANBHANE
VERSUS
PUSHPA ALIAS ALKA SUBHASH BHANBHANE AND ANOTHER

Mr. S. B. Narwade, Advocate for the applicant
Mr. N. C. Garud, Advocate for respondent nos.1 and 2.

CORAM : R. M. JOSHI, J.
DATE : 12th FEBRUARY, 2025

PER COURT :-

1. Learned counsel for the appellant seeks stay to the execution proceedings by way of urgent relief. It is his contention that the maintenance has been granted to the wife and daughter of the appellant. He further makes statement that the daughter is now major and married too. It is claimed that the daughter of the appellant is employed. It is his contention that the appellant claims himself to be a retired teacher. Owing to these facts, learned counsel for the appellant, on instructions, seeks leave to deposit of Rs.5,00,000/- (Rupees Five Lacks only) within a period of three weeks.

2. Learned counsel for the respondent opposed grant of stay to the execution proceedings by contending that order is passed in 2020 but not complied by the appellant.

3. This Court is not deciding the proceeding on merit. The undertaking given by the appellant to deposit of Rs.5,00,000/- will be sufficient to take care of the interest of respondent to some extent. On instructions, learned counsel for the appellant undertakes to deposit the said amount within a period of three weeks. Amount be deposited before the Execution Court.

4. Subject to deposit of amount and undertaking given herein above, there shall be stay to the execution proceedings till the next date of hearing.

5. It is clarified that if the said amount is not deposited within stipulated period, it is open for the respondent to move Execution Court for seeking appropriate order.

6. Stand over to 4th April, 2025.

(R. M. JOSHI, J.)

ssp