



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.250 OF 2026

Pravin S/o. Krushnaji Nikhare **Vs.** Megha Suresh Helwatkar and Ors.

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.D. Chopde, Advocate for the Petitioner.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 12th JANUARY, 2026

1. Heard learned counsel for the petitioner.
2. Petitioner has challenged order dated 08.01.2026 passed by the Appellate Court thereby, rejecting the application for grant of stay, during the pendency of application for condonation of delay in filing statutory appeal.
3. Learned counsel for the petitioner submits that the petitioner is owner of the suit property by virtue of Sale Deed, which is subject matter of execution and the petitioner's possession is likely to be taken away in the execution case. He further submits that during the pendency of the application for condonation of delay, the petitioner/applicant was entitled for grant of protection and in support of his submissions, he relies upon the judgment in the matter of ***Shaikh Ibrahim Janmohammad Vs. Tekchand Fakirchand Rathod and Others reported in 1986 Mh.L.J. 902.***
4. In view of this, issue notice to the respondents, returnable after three weeks.

5. Petitioner is permitted to serve the respondents by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

6. In the meantime, any application for adjournment submitted by petitioner before the Executing Court, be considered by the Executing Court favorably.

(PRAFULLA S. KHUBALKAR, J.)

Privel