

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

SECOND APPEAL NO. 567/2007.

Shyamsunder Khaldelwal //vrs// Chandraprakash Agrawal

Office Notes, Office Memoranda of Coram
appearances, Court's orders or Directions
And Registrar's Orders.

Court's or Judge's Orders.

CORAM : B.P.DHARMADHIKARI, J.

DATED : JANUARY 7, 2009.

Civil Application No. 33/2009.

Heard Advocate Shri Mundra for applicants/appellants and Advocate Shri Mohta, for respondent no.1.

This Court has granted stay to the execution of decree for possession, subject to the present appellants furnishing solvent surety for the amount of Rs. 50 lakhs. It appears that the said order was challenged before the Hon'ble Apex Court and the Hon'ble Apex Court extended the time granted by this Court by further period of two months. Pointing out some subsequent difficulties the present application has been moved.

Advocate Shri Mohta, states that time has been given twice by this Court and once by the Hon'ble Apex Court. He further states that as the Hon'ble Apex Court has granted further time of two months, this Court cannot interfere in the matter. However, in the facts pointed out, time till 31.01.2009 is granted to furnish surety as ordered. The time is given subject to payment of cost of Rs.5000/- by the present appellant to the respondent no.1 by 21.01.2009. If the costs are not so paid, or if the solvent surety is not furnished by 31.01.2009, the interim order granted by this court on 6.8.2008 shall stand vacated automatically without reference to the Court.

JUDGE

Rgd.