



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

Writ Petition No.6127/2025
Sau. Geetai v Shyam and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. H. Chawhan, Advocate for petitioner.
Ms V. Mankar, Advocate h/f Mr. Sumeet Agrawal, Advocate for resp. no.1./Caveator.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 13-10-2025.

Heard Mr. Chawhan, learned Counsel for petitioner.

2. Petitioner's challenge is to the order passed by the appellate Court on her application for stay to the execution in R.D. No.12/2005 pending before the Court of Civil Judge, Senior Division, Pusad. Petitioner's application under Order XXI Rule 97 of the Code of Civil Procedure was rejected and the same was challenged vide appeal bearing Regular Civil Appeal No.21/2023. Petitioner has filed an application for stay during the pendency of the appeal by contending that the petitioner is in possession of part of the shop premises. Record reveals that the decree was passed in a suit for partition in which the petitioner's husband was a party. It is stated that the decree was not challenged and the same is put to execution.
3. Issue notice to the respondents, returnable on 10-11-2025.

4. Mr. Agrawal, learned advocate waives service of notice on behalf of respondent no.1.

(Prafulla S. Khubalkar, J.)