

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

WRIT PETITION NO.7628 OF 2025
WITH CIVIL APPLICATION (CAW) NO. _____ OF 2025

PINAK S/O LATE SHANKARLAL HALAIE AND ANOTHER
VERSUS
SUSHILKUMAR SHIVKISHAN AGARWAL

*Office Notes, Office Memoranda
of Coram, Appearances, Court's
orders or directions and
Registrar's orders*

Court's or Judge's orders

Mr. J.J. Chandurkar, Advocate for Petitioners.
Mr. R.M. Sharma, Advocate for Respondent.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 11th DECEMBER 2025

1. Heard learned Advocate for the petitioner.
2. The petitioner's challenge is to the order dated 24.09.2025, passed by the appellate court, in R.C.A. No.163 of 2025, at Exhibit 08, thereby staying the execution of the judgment and decree dated 15.03.2025, passed by the trial court, in R.C.S. No.234 of 2013, on the conditions mentioned in the impugned order.
3. Having regard to the controversy involved, issue notice to the respondent, returnable after four weeks.
4. Advocate Mr. R.M. Sharma, waives service of notice on behalf of sole respondent.
5. Having regard to the submissions advanced, subject to the petitioner depositing an amount of Rs.1 Lakh (Rupees One Lakh Only), in this Court, within a period of three weeks from today, the effect and operation of the impugned order shall remain stayed till next date.

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6. Learned Advocate for the petitioner seeks leave to amend the prayer clause by replacing prayer clauses '1' and '2' and seeks permission to place on record an appropriate application in that regard.

7. The application tendered by the petitioner across the bar is taken on record. Office to register the said application.

8. Leave granted. Necessary amendment be carried out within a period of one week from today.

(PRAFULLA S. KHUBALKAR, J.)

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