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20.WP1331.26

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

**WRIT PETITION NO. 1331 OF 2026**

ANAND S/O VASANT BHISE  
VS

DR. RAJANI WD/O SAMRENDRA BARDE AND OTHER

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

Court's or Judge's orders

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Mr. A. J. Bhoot, counsel for the petitioner.

**CORAM : NANDESH S. DESHPANDE, J.**

**DATED : 18.03.2026**

1. Heard.
2. The challenge in the petition is to the order dated 23.07.2025 passed by the District Judge -09 and Assistant Sessions Judge, Nagpur below Exh. 5 in Regular Civil Appeal No. 177/2025.
3. It is the contention of the learned counsel for the petitioner that stay has been granted to the eviction decree without balancing the equities. He relies on the judgment of the Hon'ble Apex Court reported in (2009)9 SCC 772 and (2005) 6 SCC 489 to buttress his contentions.
4. In that view of the matter, issue notice to the respondents, returnable on 16.04.2026.
5. Learned Counsel for the petitioner is permitted to serve the respondents, by all modes permissible in law, in addition to regular mode of service.

6. Learned counsel for the petitioner to file an affidavit of service in that regard before the returnable date.

**(NANDESH S. DESHPANDE, J.)**