

**RSA No.61 of 2017**

9.1.2020 Present: Mr. Romesh Verma, Advocate, for the appellant.  
Mr. Neeraj Gupta, Senior Advocate with Ms. Rinki Kashmiri, Advocate, for respondent No.1.

**CMP No.381 of 2020**

By way of instant application filed under Section 151 of Code of Civil Procedure, prayer has been made on behalf of the applicant/appellant/defendant for staying the operation/execution of judgment and decree dated 19.7.2010 passed by learned Civil Judge (Senior Division), Theog, District Shimla, H.P., in Civil Suit No.32/I of 2007 and affirmed by learned Additional District Judge (CBI) Shimla, camp at Theog in Civil Appeal No.8-T/13 of 2013/10.

Learned counsel representing the non-applicant/ respondent/plaintiff fairly states that no fresh orders are required to be passed in the instant application in view of the detailed order dated 22.11.2018 passed by this Court in CMP No.10935 of 2018, whereby this Court while extending the time to comply with the order dated 4.8.2017 passed by this Court clarified that on the deposit of aforesaid amount within the stipulated period, order dated 4.8.2017 passed in CMP No.1471 of 2017 shall revive. Vide order dated 4.8.2017, order dated 23.3.2017 granting stay in favour of applicant/appellant was confirmed. Since amount in terms of order dated 4.8.2017 stands deposited, as has been fairly

admitted by learned counsel representing the parties,  
judgment and decree passed by the learned Court below shall  
remain stayed in terms of order dated 4.8.2017 passed by this  
Court in CMP No.1471 of 2017. The application stands  
disposed of.

**Copy dasti.**

**(Sandeep Sharma)**  
**Judge**

**9<sup>th</sup> January, 2020**  
(shankar)