

Ishwari Nand vs. Tara Chand & others

RSA No.246 of 2015

25.08.2025 Present: Mr. Janesh Gupta, Advocate, for the appellant.

Mr. Rohit, Advocate, vice counsel, for respondents No.1 to 3.

Mr. Sumit Sharma, Advocate, vice counsel, for respondent No.4.

CMP No.13339 of 2025

Reply by respondent No.4 again not filed. It appears that respondent No.4 is not interested in filing reply.

By way of this application, a prayer has been made to stay the execution of the decree impugned in the appeal. It is averred that the non-applicants/decreed holders have filed the execution petition in which notices have already been issued to the applicant/appellant.

The decree impugned in the instant appeal is for possession.

The appeal has already been admitted for hearing on 27.07.2015. Thus, it will be appropriate and in the interest of justice to stay the execution of impugned decree during the pendency of appeal, otherwise the appeal shall be rendered infructuous and party may be led to multiplicity of litigation.

Accordingly, the application is allowed and the execution of impugned decree is ordered to be stayed during the pendency of appeal. Application stands disposed of.

**(Satyen Vaidya)
Judge**

August 25, 2025
(vt)