

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil First Appeal No. 428 / 2016

Mahaveer Prasad

----Appellant

Versus

Smt. Sayar Devi

----Respondent

For Appellant(s) : Mr. Abhinav Jain

For Respondent(s) : Mr. Arpit Bhoot

HON'BLE DR. JUSTICE VIRENDRA KUMAR MATHUR

Order

08/09/2017

Learned counsel for the appellant has moved an application under Section 151 CPC for taking on record the deposit receipt of Rs.1,00,000/- (one lac) dated 30.03.2017.

On the averments made in the application, the same is allowed and the receipt is taken on record.

Heard learned counsel for the parties on stay application.

Earlier on 01.03.2017 an interim order passed by this Court and learned counsel for the appellant was directed to deposit an amount of a sum of Rs. 1,00,000/- (one lac) upto 01.04.2017. The appellant deposited the aforesaid amount on 30.03.2017 and submitted Bank receipt.

Learned counsel for the respondent submits that now still the balance of mesne profit granted by learned trial court @ Rs.1600/- per month calculating from 01.01.2009. The appellant to pay on the balance of mesne profit upto 30.09.2017 calculating

mesne profit from 01.01.2009 to 30.09.2017 adjusting the mesne profit already paid, failing which the stay order granted earlier shall automatically stay vacated.

Put up the matter on 05.10.2017, as prayed.

(DR. VIRENDRA KUMAR MATHUR), J.

Ravi Kh./41

RAJASTHAN HIGH COURT



सत्यमेव जयते