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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5070 OF 2014
(ARISING OUT OF SLP (C) NO.18093 OF 2013)

LEELAMMA ..APPELLANT

VERSUS

SUSHEELAMMA & ORS. ..RESPONDENTS

O R D E R

Leave granted.

This appeal has been preferred by the appellant against the interim Order of stay dated 27th March, 2013 passed by the High Court of Karnataka at Bangalore in M.F.A. No.2486 of 2013.

By the said order, the High Court while admitting the appeal preferred by contesting Respondent No.1 passed interim order, staying the interim order passed by the trial Court.

It is not in dispute that the partition suit filed by the plaintiff-appellant is still pending wherein the trial Court has passed an interim order directing the parties not to alienate the suit property. Against the

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said interim order an appeal was preferred by the defendant contesting-respondent. The interim order passed by the trial court has been stayed while admitting the appeal. The effect is that any party to the suit can alienate the suit property while said suit for partition is pending.

Having heard learned counsel for the parties, we are of the opinion that the trial court was justified in passing the interim order directing the parties not to

Ms. Vaishali Dixit, Adv.
Mr. Mayank K. Shirsagar, Adv.
Mr. Balaji Srinivasan, Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed in terms of the signed
order.

(Geeta Ahuja) (Usha Sharma)
Sr.P.A. Court Master
(Signed Order is placed on the file)