

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).2 6 9 1 1 / 2 0 0 8

(From the judgement and order dated 30 / 0 7 / 2 0 0 8 in SA No. 3 5 3 / 2 0 0 6 & CA No. 4 3 3 7 / 2 0 0 6 of The HIGH COUR T OF BOM B A Y AT AURA N G A B A D)

K A N C H E S H W A R C J O R V E K A R (D) T R . L R S . & O R S . Petitioner(s)
V E R S U S

V I J A Y B H A S K A R R E N G H E & O R S . Respondent(s)

(With prayer for interim relief)

Date: 21 / 1 1 / 2 0 0 8 This Petition was called on for hearing today.

CORAM : HON' B L E MR. JUS T I C E R . V . R A V E E N D R A N
HON' B L E MR. JUS T I C E J . M . P A N C H A L

For Petitioner(s) Mr. Anil S. Bajaj, Adv.
Mr. S. P . Adgaonk a r , Adv.
Mr. Anjani Ku m a r Jh a , Adv.

For Respondent(s)

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

We find no reason to interfere as the S L P is against conditions imposed while granting stay of execution of the decree sought by the petitioner.

Learned counsel for the petitioner, however, pointed out that as a condition for grant of stay the High Court has directed furnishing of security for past m e s n e pr of it s to the satisfaction of the trial Court. According to him, this is not called for as the trial Court had specifically rejected the prayer for past m e s n e pr of it s and the first appellate Court had not interfered with the same.

The order shows that what the High Court apparently

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intended was that appellant should furnish security for the m e s n e pr of it s from the date of suit. However, as the word 'past' is likely to cause some confusion, it is open to the petitioners to approach the High Court for clarification in that behalf.

With the said observation, the special leave petition is dismissed.

(Ravi P. Verma)
Court Master

(Anand Singh)
Court Master