

IN THE HIGH COURT OF JHARKHAND, RANCHI
Second Appeal No.494 of 2015

1. Brajendra Nath Mahto,
 2. Bhushan Mahto

Both sons of late Mohan Mahto, resident of village-Ulilohar,
 PO-Baredih, PS-Tamar, District-Ranchi **Appellants**

Vs.

1. Raghunath Singh Munda
 2. Gour Singh Munda
 3. Jagarnath Singh Munda
 4. Balram Singh Munda

All sons of late Kanchan Singh Munda, resident of Village-
 Ulilohar, PO-Baredih, PS-Tamar, District-Ranchi

5. Deputy Commissioner, Ranchi, PO, P.S. and District-Ranchi

..... **Respondents**

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Appellants : Mr. Anoop Kumar Mehta, Advocate
 For the Respondents : Mr. Arbind Kumar Sinha, Advocate

7/ Dated : 26th February, 2020

I.A. No.4584 of 2019 has been filed for extension of the order dated 27.8.2018 whereby status-quo has been directed to be maintained by the learned counsel appearing for the parties.

Mr. Anoop Kumar Mehta, the learned counsel appearing for the appellants submits that in view of the judgment of the Hon'ble Supreme Court in the case of "*Asian Resurfacing of Road Agency Pvt. Ltd.*" now the trial court is proceeding in the execution case and that is why this I.A has been filed for extension of the order of status-quo. He further submits that this S.A has already been admitted on the substantial question of law and is pending in this Court and the stay is already granted, inspite of that, the executing court is proceeding in the matter.

Mr. Arbind Kumar Sinha, the learned counsel appearing for the respondents is present and he submits that the S.A has been admitted and he submits that against the concurrent finding, this S.A. has been filed and has been admitted and that is why the early hearing of this S.A is required.

In view of the above facts and considering that the S.A has already been admitted and to avoid multiplicity of the proceeding with regard to

the dispute in question and as no further proceeding is pending in view of the fact that the two fact finding courts have already delivered the judgment, there shall be stay of Execution Case No.6 of 2015, pending in the court of learned Munsif, Ranchi, till the disposal of the S.A.

I.A. No.4584 of 2019 stands allowed and disposed of.

Mr. Arbind Kumar Sinha, the learned counsel appearing for the respondents is at liberty to move an application for an early listing of the case.

(Sanjay Kumar Dwivedi, J.)

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