

Gurinder Singh and Others

Vs

Harmala Kaur and Others

Civil Appeal No. 760 of 1980

(CJI Y. V. Chandrachud, N. L. Untwali JJ)

28.03.1980

ORDER

1. Heard counsel. Special leave granted.
2. We are of the opinion that this is a proper case in which execution of the decree should be stayed. We, therefore direct that the decree passed by the High Court on January 21, 1980, shall not be executed until disposal of the second appeal which is pending in the High Court.
3. As a condition of stay, however, we direct that the appellants shall furnish security, as agreed by them, in the sum of Rs. 10,000 towards mesne profits, to the satisfaction of the Registrar of the High Court, within one month from today. The amount of Rs. 96,000 and odd which has been deposited by the respondents in the District Court shall be invested in a short-term deposit for six months. The interest which this amount will bear and the security in the sum of Rs. 10,000 which the appellants have agreed to furnish shall be adjusted by the High Court in the light of its decision in the second appeal. Considering that the sale deed was executed nearly 10 years back, we direct that the High Court shall dispose of the appeal as expeditiously as possible, preferably within a period of six months from today.
4. There will be no order as to costs.
5. The appeal shall stand disposed of in terms of this Order.

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