

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.7462 OF 2015
IN
SECOND APPEAL NO.875 OF 2004

Mohd. Fajal Sk. Chand,
L.Rs. Aziz Begum & ors.

..APPLICANTS

VERSUS

Shaikh Feroz Noor Mohd.

..RESPONDENT

Mr A.P. Gaikwad, Advocate holding for Mr S.S. Kazi, Advocate for
applicants;
Mrs Geeta Deshpande, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 14^h July, 2015

ORAL ORDER :

Heard Mr Kazi, learned Counsel for the applicants. By the present application, the applicants seek vacation of interim relief granted by this Court on 12th January, 2009.

2. This Court, while admitting the appeal, has stayed the judgment and decree rendered by the lower appellate court, in the background of the decree for perpetual injunction passed in favour of the plaintiff.

3. Having perused the judgments of the lower appellate court and the trial court, in my opinion, no case for vacation of the interim relief is made out. Thus, the application fails and stands rejected.

4. It is open for the applicants to move an application for grant of early hearing of the appeal, after an year.

(N.W. SAMBRE, J.)

amj