

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.948 OF 2006

Mr. Vijaysingh Hilasingh Patil and Anr.] ... Petitioners

Versus

Smt. Sapana Manohar Dalani and Ors.] ... Respondents

None for Petitioners.

None for Respondents.

CORAM :- M. S. SONAK, J.

DATE :- MAY 07, 2015

P. C. :-

1. None for Petitioners.

2. This petition challenges order dated 13/01/2006 made by the Ad-hoc Additional District Judge, Pune, setting aside interim relief granted by the trial Court in Regular Civil Suit No.71 of 2003.

3. Rule was issued in this petition on 13/04/2006 and interim relief was granted in terms of prayer clause (c) which reads thus :-

“c) Pending the hearing and final disposal of this writ Petition the Respondent, their servant and

Agents or anyone else acting for them be restrained from carrying on and running the business of school in the premises known as Sai Apartment situated at Morya Nagar, Chinchwad, Pune.”

4. Accordingly, at least from 13/04/2006, the aforesaid interim relief is in operation. From the circumstance that none appears for the Petitioners, it is reasonable to presume that Regular Civil Suit No.71 of 2003 has already been disposed of. In any case, at this point of time, there is no reason to disturb the position obtaining from the grant of interim relief in terms of prayer clause (c) as aforesaid pending the final disposal of Regular Civil Suit No.71 of 2003.

5. Accordingly, this petition is disposed of by directing that interim relief in terms of prayer clause (c), as aforesaid, shall operate during the pendency of Regular Civil Suit No.71 of 2003, in case said suit has not, by now, been disposed of.

6. Rule is made absolute to the aforesaid extent. There shall be no order as to costs.

(M. S. SONAK, J.)