

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.564 OF 1991

Dattatraya Ganpat Shitole (Since Deceased)]
Through Legal Heir Hari Dattatray Shitole.] ... Petitioner

Versus

Mrs. Shubhangi Amar Manjrekar and Ors.] ... Respondents

None for Petitioner.
None for Respondents

CORAM :- M. S. SONAK, J.
DATE :- MAY 07, 2015

P. C. :-

1. None for Petitioner.
2. This Civil Revision Application challenges orders dated 15/04/1991 and 27/05/1991 in the matter of interim relief in Regular Civil Suit No.1433 of 1989.
3. Rule was issued in this matter on 02/07/1991 and interim relief was granted in terms of prayer clause (c) thereby restraining Respondent Nos.1 and 4 to 6 from creating any third party interest in the suit property and from delivering possession of the flat and shop

constructed on the suit property to third person either by themselves or their agents, servants and subordinates. The interim order continues till date.

4. From the circumstance that none appear for the the Petitioner, it is reasonable to presume that Regular Civil Suit No.1433 of 1989 wherefrom the impugned orders arise has itself been disposed of by now. If so, this petition has been rendered infructuous.

5. In any case, it will not be appropriate to disturb the position prevalent from 02/07/1991 until the final disposal of Regular Civil Suit No.1433 of 1989, in case the same is not yet disposed of. Such position, shall obviously continue only up to the disposal of Regular Civil Suit No.1433 of 1989.

6. Accordingly, the present petition is disposed of by directing that in case Regular Civil Suit No.1433 of 1989 has not been disposed of, then, the interim order made by this Court on 02/07/1991 shall operate during this pendency.

7. This petition is accordingly disposed of in the aforesaid terms.

(M. S. SONAK, J.)