

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**APPEAL FROM ORDER NO. 727 OF 2014
WITH
CIVIL APPLICATION NO. 878 OF 2014**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Sandeep Mishra for the appellant.
Mr. A. R. Gole for the respondent no.1.
Mr. Nikhil Widwans i/b R. P. Sakhdeo for respondent no.2.

**CORAM : K. K. TATED, J.
DATED : 17/03/2015.**

PC.:

. Heard learned Counsel for the parties.

2 By this Appeal from Order, appellant plaintiff challenges the order dated 23.09.2013 passed by the 2nd Joint Civil Judge, Senior Division, Thane below Exh.5 in Special Civil Suit No. 291 of 2013 rejecting plaintiff's application for injunction under Order 39 Rule 1 and 2 of Code of Civil Procedure, 1908 on the ground that respondent no.1 defendant already constructed the building on the suit property and created third party right, title and interest in the same.

3 The learned counsel for the appellant submits that in the interest of justice, this Hon'ble Court be pleased to expedite the hearing of the Special Civil Suit No. 291 of 2013.

4 Considering the submissions made by the appellant and on his request, the following order is passed:

- i) Hearing of Special Civil Suit No. 291 of 2013 is expedited.
- ii) Appeal from Order as well as Civil Application stand dismissed as withdrawn.
- iii) No order as to costs.

(K.K.TATED, J.)