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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1024 OF 2015 IN
FIRST APPEAL NO.298 OF 2015

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Kamlesh Ghumre for the Applicant
None for the Respondent.

CORAM : A.S.OKA, &
A.P.BHANGALE,JJ.
DATE : MARCH 17, 2015

P.C.

1 Heard the learned counsel for the applicant. A suit for specific performance of the alleged agreement has been dismissed by the Trial Court by the impugned decree. The prayers (b) and(c) for grant of interim relief in this application are of a drastic nature. Prayer (b) is for directing the Municipal Corporation to give No Objection Certificate and permission to the applicant for completing the project. Prayer(c) is for granting Occupation Certificate to Club House and Swimming Pool. Prayer (d) is for a direction to the respondent-Corporation to hand over the possession of the

entire suit property. Prayer for possession is sought on the basis of the agreement of which a decree for specific performance was sought. After dismissal of the suit, such drastic prayers for interim relief cannot be granted. As far as prayer (a) is concerned, the applicant wants a drastic relief of continuing the construction activity on a part of the suit property and of permitting the use of the convention hall, swimming pool and club house. After dismissal of the suit for specific performance, such a drastic relief cannot be granted. Hence, civil application is rejected.

(A.P.BHANGALE,J)

(A.S.OKA,J.)