

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1057 OF 2015
IN
WRIT PETITION NO. 9079 OF 2014

Lalbahadur B. Jadhav

.. Applicant

In the matter between

Mrs. Maya Ramnani & ors.

..Petitioners

vs.

The Divisional Joint Registrar
Cooperative Societies, Mumbai
and ors.

.. Respondents

Mr. Swanand Ganoo a/w. Mr. Deepak Shukla i/b M/s. Vinod Mestry
& Co. for Respondent No.5-Applicant.

Mr. Brian D'Lima for the Original Petitioners.

Ms Vaishali Nimbalkar, AGP for Respondent Nos.1,2 and 6.

CORAM : M. S. SONAK, J.

DATE : 19 NOVEMBER 2015.

P.C. :-

1] By this Civil Application, the Applicant who is original Respondent No.5 in the main petition seeks restoration of possession of the suit shop, which possession, according to him has been taken over by Respondent Nos.7,8 and 9 to this Civil Application without the authority of law. Respondent Nos. 7,8 and 9 are not parties to the main petition. In such circumstances, it cannot be said that the *status quo* order made by this Court on 13 October 2014 was applicable to the said Respondents.

2] The learned counsel for the Applicant, however, submits that since there was a *status quo* order made by this Court on 13 October 2014, the Applicant has deemed it appropriate to move this Court for seeking reliefs even against Respondent Nos.7 to 9 to this Application, though the said Respondents were not party in the main petition.

3] By means of this Civil Application, no reliefs can be granted to the Applicant as against the said Respondent Nos.7 to 9 to the said Civil Application. However, it is clarified that the *status quo* order dated 13 October 2014 will not come in the way of the Applicant from taking out appropriate proceedings in order to secure the possession of the suit premises from Respondent Nos.7,8 and 9. It is made clear that this Court has not examined the allegations made by the Applicant and therefore, all contentions of all concerned parties are kept open.

4] With the aforesaid clarification, this Civil Application is disposed of.

(M. S. SONAK, J.)