

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 1812 OF 2014
IN
FIRST APPEAL No. 544 OF 2014

M/s. Anupam Developers, through it's constituted attorney Mr. Surinder Singh Solar	...	Applicant
vs.		
Gangadhar Narayan Biwalkar & Ors.	...	Respondents

Mr. Dipen Merchant i/b. I.V. Merchant & Co., Advocate for the applicant.
Mr. Eishan Limaye, Advocate i/b. Divesh Chamboowala for the
respondent nos. 1 and 2.

**CORAM : SMT. VASANTI A. NAIK &
C.V. BHADANG, JJ.**
DATE : 2nd February, 2015.

P.C.

Heard the learned counsel for the parties. Perused the contents of the Application. Also perused the judgment of the trial Court. Since an injunction restraining the respondents/defendants from alienating the suit property or creating any third party interest in the same was operating till the suit was decided, it would be necessary to grant the same interim relief in the First Appeal also.

Hence, the respondents are restrained from alienating the suit property or creating any third party interest therein, during the pendency of the First Appeal subject to the condition that the applicant deposits a

sum of Rs.60,00,000/- in this Court within a period of four weeks. If the said amount is so deposited, the same may be placed in the Fixed Deposit account of a nationalized bank during the pendency of the Appeal.

The Civil Application is allowed in the aforesaid terms and disposed of.

(C.V. BHADANG, J.)

(VASANTI A. NAIK, J.)