

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.858 OF 2013
IN
SECOND APPEAL NO.314 OF 2013**

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.Abhijeet A. Desai for the applicant

Mr.Sachin Deokar i/b Mr.D.R.More for the respondent no.5

CORAM : K.K.TATED, J.
DATED : 02/09/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 Advocate for the applicant submits that in the present Civil Application, this court by order dated 2.5.2014 granted ad-interim relief. He submits that as on today, the applicant is in possession of the open plot of land bearing No.7 (as per the proposed layout) equivalent to Survey No.113/4/1A/1/13 (as per the revenue record).
- 3 He submits that during the pendency of the present Second Appeal, the respondent nos.1 to 4 may be restrained from disturbing the applicant's peaceful possession of the said plot.
- 4 Considering the submissions made by the

learned counsel for the Applicant, the averments made in the Application and the earlier order passed by this court on 2.5.2014, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a) Respondent nos.1 to 4 and or their agents are restrained from disturbing peaceful possession of the applicant in open plot of land bearing No.7 (as per the proposed layout) equivalent to Survey No.113/4/1A/1/13 (as per the revenue record).
- b) Civil application stands disposed off accordingly.

(K.K.TATED, J.)