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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1015 OF 2013

IN

SECOND APPEAL NO.380 OF 2013

Bhila Khandu Suryawanshi & Ors.

..Applicants.

V/s.

Sopan Shankar Deore

..Respondent.

Mr.Milind M.Sathaye for the appellants.

Mr.S.R.Ganbavale for the respondent.

CORAM : R.K.DESHPANDE, J.

DATED : 5TH AUGUST, 2015

P.C. :-

1. This Court has already framed substantial question of law and the matter has been admitted. Learned counsel appearing for the parties are heard on the question of grant of interim relief. The lower Appellate Court has passed an order of injunction permanently restraining the defendant from obstructing the peaceful possession and enjoyment of the suit property by the plaintiffs. In view of the fact that it is an open space in between the two plots, both the parties are at liberty to use this as a common space and there shall not be any

obstruction or construction over it by any of the parties without the permission from this Court. Both the parties shall be at liberty to file application for grant of permission on the basis of any subsequent events.

2. The civil application is disposed of in the aforesaid terms.

JUDGE