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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
CIVIL APPLICATION NO.2439 OF 2015 IN
FIRST APPEAL NO.883 OF 2015

Subhash Pandurang Gawand & Ors. ...Applicants
vs.
M/s.Meher Enterprises & Ors. ...Respondents

Mr.A.J.Almeida for the applicants
Mr.Rajiv Narula i/b Jhangiani Narula & Associates
for the respondent Nos.1 and 2.
Mr.Nitin Thakkar i/b M.S.D'Mello for respondent
Nos.4 to 17.

CORAM : A.S.OKA, &
 V.L.ACHLIYA, JJ.
DATE : SEPTEMBER 16, 2015

P.C.:

1 The learned counsel appearing for the applicant on instructions states that though the respondents are in possession of the suit property, their possession is completely illegal.

2 The substantive First Appeal is admitted by which the suit filed by the applicants has been dismissed. During the pendency of the suit, an order of status quo granted by this Court in the Appeal No.1015 of 2001 was in operation.

3 Now, it is an admitted position that the respondents are in possession. As the substantive Appeal is admitted, the respondents will have to be restrained from creating any third party interests

in respect of the suit property in any manner without leave of the Court.

4 Accordingly, we dispose of the Civil application by passing the following order:

(I) Till the disposal of the First Appeal, the respondents are hereby restrained from creating any third party interests in respect of the suit property in any manner without seeking prior leave of this Court.

(V.L.ACHLIYA,J.)

(A.S.OKA,J.)

CERTIFICATE

Certified to be true and correct copy of original
signed Judgment/Order.