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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1214 2014
IN
SECOND APPEAL NO. 289 OF 2015

Kanayalal Chetandas Jaisinghani .. Applicant

Vs.

1. Chuharlal Chetandas Jaisinghani
2. Maharashtra State Electricity Board .. Respondents

Mr.Surel S.Shah, Advocate for Applicant.
Mr.A.S.Khandeparkar a/w Mr.S.C.Chandratre i/b Khandeparkar &
Associates, Advocate for the Respondent No.1.

CORAM : R. G. KETKAR, J.
DATE : 20th APRIL, 2015

P.C. :

. Heard Mr.Surel S.Shah, learned Counsel for applicant
and Mr.A.S.Khandeparkar, learned Counsel for respondent No.1 at
length.

2. Mr.Shah states that respondent No.2-Maharashtra State
Electricity Board is a formal party and notice may be dispensed with
qua respondent No.2. In view thereof, on the motion made by
Mr.Shah, notice on respondent No.2 is dispensed with. Rule.
Mr.Khandeparkar waives service for respondent No.1. At the request
and by consent of the parties, Rule is made returnable forthwith and
the application is taken up for final hearing.

2. By this application, original defendant No.1 has prayed for issuance of injunction restraining the plaintiff (respondent No.1) from creating any third party right in respect of the suit premises namely flat No.2 situate on plot No. 55/A, Survey No.1274 at Pimpri or from parting with possession thereof in any manner whatsoever.

3. Mr.Khandeparkar, upon taking instructions from the plaintiff who is present in the Court, states that plaintiff will neither create third party interest nor part with possession of flat No. 2 which is the subject matter of the suit. The statement made by Mr.Khandeparkar on instructions is accepted. In view thereof, no further orders are necessary.

(R. G. KETKAR, J.)