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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO.110 OF 2014
IN
WRIT PETITION NO.8653 OF 2007**

Cyrus Investments Ltd. and Anr.

..Applicants.

V/s.

Union of India and Ors.

..Respondents.

Ms.Sanidha Vedpathak i/b. Maneksha and Sethna for the applicants.
Mrs.S.V.Bharucha and Ms. J.N.Pandhi for respondent Nos.1 to 4.
Mrs.M.P.Thakur, AGP for respondent Nos.5 to 8.

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.**

DATED : 26TH OCTOBER, 2015

P.C. :-

1. Heard the learned counsel for the applicants, the learned counsel appearing for the respondent Nos.1 to 4 and the learned AGP for respondent Nos. 5 to 8. As far as prayer clause (b) is concerned, it is in the nature of final relief which can be considered only in the main writ petition. Prayer clauses (c) and (d) are sought by way of interim relief pending this application. Therefore, the only relief which can be considered is in terms of prayer clause (a).

2. As the challenge in the writ petition is to the order of requisition, the respondents will have to be restrained from creating third party interests in respect of the land subject matter of the petition.

3. Hence, we pass the following order :-

- (i) Till the disposal of the petition, we restrain the respondents from creating any third party interests in respect of the land subject matter of the writ petition without seeking the leave of the Court;
- (ii) Prayer clause (b) cannot be granted by way of interim relief pending the petition;
- (iii) The application is disposed of in the above terms;
- (iv) If the writ petition is ready for final hearing, the same shall be added to the final hearing board.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)