

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2963 OF 2015

IN

FIRST APPEAL NO.1059 OF 2015

The Bomay Dyeing & Manufacturing
Company Limited

... Appellant

Vs.

Damodar Keshav Bene

... Respondent

a/w

CIVIL APPLICATION NO.3177 OF 2015

with

CIVIL APPLICATION NO.3178 OF 2015

IN

FIRST APPEAL st. NO.23021 OF 2015

The Bomay Dyeing & Manufacturing
Company Limited

... Appellant

Vs.

Arvind K. Shikharkane

... Respondent

Mr.G.S. Godbole i/b M/s.Desai & Diwanji Negandhi Shah & Himayatulla for
the Applicant

Ms.K.C. Nichani for Respondents

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 30th SEPTEMBER, 2015

P.C.:

1. Heard.

2. For the reasons mentioned in the Civil Application, delay of 52 days
in filing First Appeal st. No.23021 of 2015 is condoned. Appeal be

numbered. Civil Application No.3177 of 2015 stands disposed of accordingly.

3. By Civil Application Nos.2963 of 2015 and 3178 of 2015, the applicant / appellant prays for injunction against the respondents that they should not alienate, dispose of or part with the possession of the suit flat alongwith car parking space, if any, pending appeals.

4. On hearing the parties and as the appeals are admitted and the respondents are in possession of the suit premises, the respondents, their agents, servants are restrained in any manner from disposing off, alienating, parting with or creating any encumbrance or third party rights in relation to the suit flat and the parking space, pending appeal except with the permission of this Court.

5. Mr.Godbole is not pressing prayer clause (b) at this stage.

6. With the above directions, the Civil Applications are disposed of.

(MRIDULA BHATKAR, J.)

CERTIFICATE

Certified that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.