

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3186 OF 2015
IN
FIRST APPEAL st. NO.23026 OF 2014
with
CIVIL APPLICATION NO.3187 OF 2015
IN
FIRST APPEAL st. NO.23026 OF 2014

The Bombay Dyeing & Manufacturing
Company Limited

... Applicant

Vs.

Savak Padamji Balsara

... Respondent

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

Mr.U.J. Makhija i/b A.S. Khushrushahi for Respondent

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **30th SEPTEMBER, 2015**

P.C.:

1. Heard.
2. For the reasons stated in the application, delay of 27 days in filing the appeal is condoned. Appeal to be numbered.
3. Civil Application No.3186 of 2015 stands disposed of accordingly.

CIVIL APPLICATION NO.3187 OF 2015

4. By Civil Application No.3187 of 2015, the applicant / appellant prays for injunction against the respondent that he should not alienate, dispose

of or part with the possession of the suit flat alongwith car parking space, if any, pending appeal.

5. On hearing the parties and as the respondent is in possession of the suit premises, the respondent, his 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.

6. Mr.Godbole is not pressing prayer clause (B) at this stage.

7. With the above directions, the Civil Application for stay is disposed of.

8. List the appeal for admission on 28.10.2015.

(MRIDULA BHATKAR, J.)

CERTIFICATE

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