

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2504 OF 2015
IN
WRIT PETITION NO.11629 OF 2013

Shri Yeshwant S. Phatak.] ... Applicant

In the matter between :

Shri Yeshwant S. Phatak and Anr.] ... Petitioners

Versus

Ballal Co-Operative Housing Society Ltd.,]
Through the Secretary and Ors.] ... Respondents

Mr. Ameya Tamhane for Applicant.

Mr. Ketan Joshi for Respondent No.1.

Mrs. Vaishali Nimbalkar, A.G.P., for Respondent Nos.4 and 5.

CORAM :- M. S. SONAK, J.

DATE :- DECEMBER 16, 2015

P. C. :-

1. This application is quite misconceived. The interim order granted by this Court on 11/04/2014, which operates today, is that the conveyance to be executed would be subject to the final outcome of this petition. By this Civil Application, the applicant seeks vacation of even this interim relief. In fact, the relief, as it operates today, is

not even an interim relief. Even, if this Court were not to have stated that the conveyance would be subject to the outcome of this petition, in case the petition were to be allowed, the same would undoubtedly affect the conveyance. Accordingly, this Civil Application is rejected. There is no question of fixing any peremptory final hearing in this matter. The matter to come up as per its turn.

2. Civil Application is disposed of.

(M. S. SONAK, J.)