

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1591 OF 2010****IN****SECOND APPEAL NO. 46 OF 2011****Ravi Bhagwan Gaikar & Ors.****..... Applicants****VERSUS****Eknath Ziprya Patil & Ors.****..... Respondents**

Mr.R.P.Lote for the Applicants.

Mr.Prakash B., i/b.Mr.V.S.Paradkar for Respondent No.1.

CORAM : R.D. DHANUKA, J.**DATED : 20th NOVEMBER, 2015****P.C.**

By a separate order passed by this court, Second Appeal No.46 of 2011 has been already admitted. On 28th July, 2011 this court had passed an ad-interim order in this civil application in terms of prayer clause (b) subject to the condition that the applicants will not make any further construction on the land which was subject matter of the suit being Regular Civil Suit No.330 of 1987 and would not create any third party rights in respect of the super structure, which had been constructed on the said suit land. Learned counsel for the applicants states that written undertaking in compliance with the said ad-interim order dated 28th July, 2011 has been already filed by the applicants in this court. Statement is accepted.

2. Civil Application No.1591 of 2010 is made absolute in terms of the ad-interim order dated 28th July, 2011. No order as to costs.

[R.D. DHANUKA, J.]