

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9645 OF 2015
M/s. Siddhi Real Estate Developers
through its Partner
vs.
Kusum C. Joshi and ors.

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Mr. P.K. Dhakephalkar, Sr. Advocate i/b Mr. Amol Mhatre for
the Petitioner.
Mr. Sandesh Patil for the Respondent No.1.
Ms M.S. Bane, B-Panel Counsel for Respondent Nos.2 to 5.

CORAM : M. S. SONAK, J.
DATE : 05 OCTOBER 2015.

P.C. :-

- 1] Not on board. Upon production, taken on board.
- 2] Ms Bane, learned B-Panel counsel waives notice
on behalf of Respondent Nos.2 to 5.
- 3] Against the order dated 27 August 2015 made by
Respondent No.3, a statutory Appeal under Section 74 of the
Bombay Tenancy and Agricultural Lands Act, 1948(said Act)
will lie to the Respondent No.4. In fact, this is a preliminary
objection raised by and on behalf of Respondent No.1.
- 4] In view of the aforesaid, there is no necessity to
entertain the present Petition. The Petitioner shall, however,

be at liberty to institute such Appeal within a period of two weeks from today.

5] Mr. Dhakephalkar, learned senior advocate for the Petitioner, states that such Appeal will be instituted within a period of two weeks from today alongwith Application for interim reliefs.

6] Considering the facts and circumstances of the present case, it will be appropriate if the impugned order is stayed pending the consideration of Application for interim reliefs by the Appellate Authority. This is of course on the basis that the Petitioner will institute an Appeal alongwith Application seeking interim reliefs within a period of two weeks from today.

7] It is clarified that this Court has not gone into merits of the matter and therefore all contentions of all parties are kept open for the decision by the Appellate Authority.

8] The Writ Petition is disposed of, in the aforesaid terms.

9] All concerned to act on the basis of authenticated copy of this order.

(M. S. SONAK, J.)

CERTIFICATE

“Certified to be true and correct copy of
original signed Judgment/Order.”