

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4036 OF 2013
IN
FIRST APPEAL NO.1566 OF 2013**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.Rahul D. Motkari for the applicant

Mr.N.V.Kalantri for the respondent no.1

**CORAM : K.K.TATED, J.
DATED : 25/02/2015**

PC:

- 1 Heard the learned counsel for the parties.
- 2 Though respondent no.2 is duly served, no one appeared on behalf of them when the matter was called out.
- 3 The learned counsel for the applicant submits that pursuant to the order dated 19.6.2014 passed by this court (Coram: R.G.Ketkar, J.) they already deposited sum of Rs.6.0 lacs. Statement is accepted.
- 4 Considering the submissions made by the learned counsel for the Applicant and as ad interim relief is already running since 19.6.2014 and applicant deposited sum of Rs.6.0 lacs, I am

satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, the following order:

A) Civil Application is allowed in terms of prayer clause (a) which read thus:

“(a) That this Hon'ble Court be pleased to issue an order of injunction thereby restraining the Respondents herein from creating any third party interest or encumbrance over the suit property as more particularly described in paragraph 1 of the plaint either by themselves or through their servants, agents, officers or any one claiming either through or under them.”

B) Civil application stands disposed off accordingly.

(K.K.TATED, J.)