

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
CIVIL APPLICATION NO.4165 OF 2013 IN
FIRST APPEAL NO.1334 OF 2013.

Mr.Sandip Shinde for the applicants
Mr.Shriram Kulkarni for the respondents

P.C.:

2 Taking the averments made in the application and annexure to the application as it is, it is impossible to record a conclusion that the change of user is effected after the order dated 4th October 2013 was passed. Today, the fourth applicant has submitted an undertaking dated 5th May 2015 in which

he has undertaken to the Court not to cause any construction on the suit land and not to create any third party rights in respect of the suit land. We accept the said undertaking as the undertakings of all the applicants. Hence, there is no need to modify or vacate the interim order.

3 Subject to acceptance of the undertakings of the applicants, civil application is disposed of.

(C.V.BHADANG,J.)

(A.S.OKA,J.)