

Sharayu

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 1279 OF 2008
IN
SUIT NO. 833 OF 2008

Sandeep Sethi	...Plaintiff
<i>Versus</i>	
Mr. Kulbir Sethi & Ors.	...Defendants

Mr. Pramod Keni, i/b M/s. Thakordas & Madgavkar, for the
Plaintiff.
Mr. S.V. Rajeshwar, i/b Media Lexican, for the Defendants No. 2 &
11.

CORAM: G.S. PATEL, J
DATED: 2nd March 2015

PC:-

1. Some of the reliefs sought in this Notice of Motion are in the nature of final reliefs in the Suit, which is for partition. It is, however, admitted that the Plaintiff and two of his brothers are in physical possession of the bungalow known as “Jwala” at Plot No. 672, Khar Pali Road, Khar, Mumbai – 400 052.

2. The Plaintiff and his siblings (brothers and sisters) all have an undivided right, title and interest in the property i.e. the subject matter of the Suit. The property must be protected.

3. Hence, pending the hearing and final disposal of the Suit, the Plaintiff and Defendants No. 1 to 13 shall not create any third party rights, sell, dispose of or alienate the property in question or their respective rights or shares therein without leave of the Court. Learned Advocate for the Plaintiff agrees that this is sufficient protection and can be a final order of the Motion. Notice of Motion is disposed of in these terms with no order as to costs.

(G. S. PATEL, J.)