

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

APPEAL AGAINST ORDER NO.84/2014

Smt. Sunita w/o Laxman Shingane and others
..Versus..
Laxman s/o Shankar Shingane

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 6.2.2015

Heard Shri Radhe Agrawal, the learned advocate for the appellants. None appears for the respondent though served.

The appellants have filed Special Civil Suit No.931/2013 praying for decree for partition, separate possession, declaration and injunction in respect of the suit property. It is the case of the appellants in the plaint that the respondent has purchased the suit property from the money which he got by disposing of the joint family property. The appellant no.1 is the wife of the respondent and the appellants 2, 3 and 4 are the children of the respondent. Considering the dispute and the

relationship of the parties, in my view, the interests of justice would be sub-served by restraining the respondent from disposing of the suit property till the decision of the civil suit. The impugned order is set aside and the application (Exh. No.5) filed by the appellants before the trial Court is allowed.

The appeal is allowed in the above terms. In the circumstances, the parties to bear their own costs.

JUDGE

Tambaskar.