

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

CIVIL APPLICATION (CAF) NO.393 OF 2015
IN
FIRST APPEAL NO.99 OF 2015

Vandana w/o Ramesh Sahastrabuddhe

-vs-

Jayashree w/o Anil Sable

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri V. G. Bhamburkar, Advocate for applicant/appellant.
Shri D. V. Siras, Advocate for respondent.

CORAM : A.S.CHANDURKAR, J.
DATE : APRIL 29, 2015

By this application, the applicant seeks an order of temporary injunction seeking to restrain the non-applicant from alienating the suit property or changing its nature.

It is stated that the suit filed by the present appellant was partly decreed with a direction to pay the amount of earnest money. It is stated that the applicant is willing to deposit balance consideration of Rs.12,00,000/- in this Court within period of four weeks from today. Similarly on behalf of the non-applicant it is submitted that she is in possession of the suit property and is also willing to return to the applicant the amount of Rs.9,00,000/-.

Considering the nature of decree passed by the trial Court, the following order is passed :

- (i) The applicant is directed to deposit in this Court a sum of Rs.12,00,000/- within period of four weeks from today. (ii) Similarly, the non-applicant is directed to deposit the amount of Rs.9,00,000/- within period of four weeks from today.

- (iii) If aforesaid amounts are so deposited, they shall be invested into separate accounts of Fixed Deposit.
 - (iv) If the applicant deposits aforesaid amount, the Civil Application shall stand allowed in terms of prayer clause (a) thereof.
 - (v) If said amount is not deposited by the applicant within said period, the application shall stand dismissed without reference to the Court.
- Civil Application is disposed of in aforesaid terms.

JUDGE