

JPP

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

CIVIL APPLICATION NO. 37 OF 2013

in

SECOND APPEAL NO. 21 OF 2013

Arjun Vithal Abitkar.

... Applicant/Appellant.

V/s.

Vishwas Vishnu Abitkar and Ors.

... Respondents.

Mr. P.R. Arjunwadkar for the Applicant/Appellant.

Ms. Anjali Helekar for Respondents 2 to 9 and R. 1-A to 1-D also.

CORAM : N.M. Jamdar, J.

18 April, 2016.

P.C. :-

The Civil Application is taken out for an order of injunction against the Respondents from carrying out any construction in the suit property.

2. Heard the learned Counsel for the parties. The Appeal has been admitted by a detailed speaking order on 3 April 2014 after hearing all concerned. Ad-interim relief in terms of status-quo as regard construction of suit property has been granted. This injunction has been operating since the year 2009. Considering the facts and circumstances and the dispute involved in this Appeal, the ad-interim order passed on 3 April 2014 to continue till the disposal of the Appeal.

3. It is informed that a Regular Civil Suit No. 36 of 2008 is pending in the Court of Civil Judge, Junior Division, Gargoti. Liberty to the Respondents to apply after the decision in the Regular Civil Suit No. 36 of 2008.

4. Civil Application is accordingly disposed of.

(N.M. Jamdar, J.)