

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

**CIVIL APPLICATION NO.543 OF 2016
IN
SECOND APPEAL NO.284 OF 2016**

Mr. Kamal Madanlal Dangra & Anr. .. Applicants

Vs.

Mr. Badrinarayan Madanlal Dangra. .. Respondent

Mr. Sandesh Patil i/b Monica Kshirsagar for Applicants.

Mr. Y. K. Tiwari i/b K. P. Tiwari & Co. for Respondent.

CORAM : R.D. DHANUKA, J.

DATE : 18th August 2016

P.C.

. Rule. Learned counsel appearing for the respondent waives service.

2. By a separate order passed by this Court today in Second Appeal No.284 of 2016, second appeal has already been admitted on the substantial questions of law formulated by this Court.

3. Heard learned counsel appearing for the applicants and the respondent.

4. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clause (a). It is however made clear that during the pendency of the second appeal, the applicants shall not create any third party rights in respect of the suit property and shall not part with possession in respect thereof.

R.D. DHANUKA, J.