

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

***APPEAL FROM ORDER NO. 182 OF 2008***

|                                     |                 |
|-------------------------------------|-----------------|
| Mr. Anthony John Pereira & anr.     | ... Appellants  |
| v/s                                 |                 |
| M/s. Versatile Developers Pvt. Ltd. |                 |
| & ors.                              | ... Respondents |

None present for the appellants.

Mr. Siddhesh Pilankar i/by Uday Warunjikar for Resp. Nos. 10 to 17, 26 to 28, 30, 32 to 35 and 44.

***Coram: N.M. Jamdar, J.***

***Dated: 21 June 2016***

***ORAL ORDER:***

The order impugned in this appeal is passed on 17 January 2008. Notice was issued in this appeal on 4 March 2008. Thereafter the appeal abated as against Respondent Nos. 31, 42 and 43 for non-service upon them. On 8 July 2010, this Court recorded that adjournments were being sought on behalf of the Appellants. On 25 February 2011, this Court recorded that, till date no ad-interim relief is granted by this Court and the impugned order is operating since January 2008 and accordingly the civil application was rejected.

2 The appeal was admitted on 25 February 2011. It was clarified that the pendency of the appeal will not operate as stay to the proceedings. On 12 January 2016, when the appeal was called out for hearing, none appeared for the Appellants. Today also none appears for the Appellants.

3 The order which is challenged is an interlocutory order. It is operating for the last six and half years. This Court has already rejected the ad-interim relief and has directed the suit to proceed. In the circumstances, it will be appropriate if the interim order is continued till the disposal of the suit. All contentions of the parties on merits are kept open to be agitated in the suit.

4 The appeal from order is accordingly disposed of.

*(N. M. Jamdar, J.)*