

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 913 OF 2016
IN
FIRST APPEAL NO. 124 OF 2002

Suryabali R. Chauhan

.....Applicant

V/s.

Vaishali Co-op Hsg. Co. Ltd & Ors.

.....Respondent

* * * * *

Mr. Amol P. Mhatre, Advoate for the applicant.

Mr. Kiran Jain a/w. Ms. Neeta Solanki i/by. Kiran Jain & Co., Advocate
for respondent no.1.

Ms. Meena Bhoir, Advocate for BMC.

Coram :- Smt. R.P. SondurBaldota, J.

18th March, 2016.

P.C. :-

1). This Civil Application is for interim injunction to restrain respondent no.1 from obstructing and/or disturbing possession of the applicant of the suit shed and for direction to respondent no.1 to maintain the status-quo. Respondent no.1 to the Civil Application is a Society who is respondent no.2 to the main appeal. The Civil Application has been taken out on the basis of the order dated 14th February, 2002 on Civil Application No. 3436 of 2001, by which according to the applicant, his possession stood protected. Perusal of the record, however, shows

that, the order dated 14th February, 2002 was only an ad-interim order which stood vacated on dismissal of the Civil Application on 27th February, 2006. The present Civil Application does not even disclose this fact. The Civil Application is therefore dismissed.

(SMT. R.P. SONDURBALDOTA, J)