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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.21 OF 2016

Sandip A. Jadhav	...Appellant
V/s.	
Smt.Satyabhama G. Holmukhe	...Respondent

Ms.Anita W. i/b Mr.Vijay Shinde for the Appellant.

Mr.Shrikant Yadav for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 26TH OCTOBER, 2016.

P.C. :-

1. By this appeal from order the appellant (original plaintiff) has impugned the order dated 3rd December, 2014 passed by the learned trial Judge, dismissing the application (Exhibit "5") *inter-alia* praying for interim injunction in respect of the suit property in a suit for specific performance of an agreement for sale executed in the year 2010.

2. A perusal of the impugned order passed by the learned trial Judge indicates that the learned trial Judge has considered the pleadings and the submissions made by both the parties and has taken a *prima-facie* view that no case was made out for grant of interim relief. The said impugned order was passed on 3rd December,

2014.

3. The respondent (original defendant) has filed the written statement. The suit for specific performance is of the year 2010. No *ad-interim* relief is granted by this Court in this appeal from order against the impugned order dated 3rd December, 2014. No case is made out for interference with the impugned order passed by the learned trial Judge. The appeal is devoid of merits and is accordingly dismissed. No order as to costs.

4. It is made clear that the observations made by the learned trial Judge are *prima-facie* observations. The learned trial Judge shall not be influenced with such *prima-facie* observations while disposing of the suit, which shall be decided on its own merits.

(R.D. DHANUKA, J.)