

Sequeira

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

***APPEAL FROM ORDER No. 548 of 2014
Along with
CIVIL APPLICATION No. 654 of 2014***

Mr.Kennedy Anthony D'Mello .. Appellant
Versus
Mr.Ishwar Sahu & ors. .. Respondents

***Along with
APPEAL FROM ORDER No. 549 of 2014
Along with
CIVIL APPLICATION No. 655 of 2014***

Mr.Kennedy Anthony D'Mello .. Appellant
Versus
Mr.Ladu Kishore Gauda & ors. .. Respondents

Mr.S.K.Dubey, for the Appellant in both A.O. and Applicant in both C.A.

Mr.A.V.Diwate i/b Mr.U.H.Deshpande, for Respondent No.3-BMC in A.O. No.548 / 2014 and Respondent No.6 -BMC in A.O. No.549 / 2014.

***CORAM: N.M. JAMDAR, J.
Wednesday, 30 March 2016.***

P.C.:

These Appeals are involving common question and therefore, they were clubbed together by order dated 28 July 2014.

2. The Appellant challenges the order passed by the City Civil Court, Bombay dated 21 March 2014 refusing to grant ad-interim

relief. The Appellant had prayed for an order of injunction restraining the Respondents from carrying out any construction and for restraining the Respondent-Corporation from giving any permission.

3. The impugned order is passed two years back in March 2014. These Appeals are adjourned from time to time on the ground that the parties are likely to settle the matter. It is informed that the suit itself is now at the stage of evidence. In the circumstances, I am not inclined to pass any order in these Appeals at this stage. If any settlement is arrived at between the parties, the same can always be placed on record in the suit which is pending. Keeping all contentions of the parties on merits in the suit open, the Appeals are disposed of.

Both the Civil Applications stand disposed of.

(N.M.Jamdar, J.)