

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

**APPEAL FROM ORDER NO.900 OF 2014
along with
CIVIL APPLICATION NO.1083 OF 2014
in
APPEAL FROM ORDER NO.900 OF 2014**

Amit Ashok Naik & Anr. .. Appellants

Vs.

Smt.Hemavati Aroghya Swami
Irudhyarajan & Ors. .. Respondents

Mr.K.S.Dewal i/by Mr.J.M.Joshi for Appellants.

None for Respondents.

CORAM : R.D. DHANUKA, J.

DATE : 20th October 2016

P.C.

. By this appeal from order, the appellants have impugned the order dated 28th February 2014 passed by the learned trial Judge dismissing the application for interim relief filed by the appellants (original plaintiffs) in a suit for specific performance of agreement for sale dated 18th January 2007.

2. The suit for specific performance was filed in the year 2010. No interim relief was granted by the learned trial Judge in application below Exhibit-5 since 2010. The application below Exhibit-5 is also rejected as far back as on 28th February 2014. This Court has also not granted any interim relief till date. No case is made out for interference with the order passed by the learned trial Judge.

3. The appeal from order is dismissed. In view dismissal of the appeal from order, civil application does not survive and is accordingly dismissed. No order as to costs. Suit is expedited.

R.D. DHANUKA, J.