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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1100 OF 2015
WITH
CIVIL APPLICATION NO.1363 OF 2015

Ganesh S. Shinde & Anr.	...Appellants
V/s.	
Suryakant B. Tawade & Ors.	...Respondents

Ms.Prachi K. i/b Mr.Nitesh Bhutekar for the Appellants.

Ms.Sayli Apte i/b Mr.P.G. Lad for the Respondent No.1.

CORAM : R.D. DHANUKA, J.
DATE : 1ST FEBRUARY, 2016.

P.C. :-

1. By this appeal from order, the appellants have impugned the order dated 1st August, 2014 passed by the learned trial Judge dismissing the notice of motion which was *inter-alia* praying for appointment of the Court Receiver and for injunction. This Court has already granted *ad-interim* injunction on 29th September, 2014 in terms of prayer clause (b) of the civil application. The said order is in force till date.

2. In my view the ends of justice would be met if *ad-interim* order granted by this Court in terms of prayer clause (b) of the civil application is continued during the pendency of the suit.

3. There was no appointment of the Court Receiver in this suit, which is filed in the year 2011. No case is made out for the appointment of the Court Receiver.

4. I therefore, pass the following order :-

i). Ad-interim order passed by this Court on 29th September, 2014 in terms of prayer clause (b) of the civil application to continue till the disposal of the suit.

ii). The prayer for appointment of the Court Receiver is rejected.

5. The appeal from order is accordingly disposed of in aforesaid terms.

6. In view of the disposal of the appeal from order, the civil application does not survive and is accordingly disposed of. No order as to costs.

7. The learned trial Judge shall make an endeavor to dispose of the suit expeditiously.

(R.D. DHANUKA, J.)