

Sequeira

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

CIVIL APPLICATION NO. 379 OF 2013

(For stay)

in

SECOND APPEAL NO. 145 OF 2013

Along with

CIVIL APPLICATION NO. 1772 OF 2015

Mr.Lokchand J.Bhatia

... Applicant / Appellant.

V/s.

Mr.Sajandas Chataram Hiranandani

(since deceased through his legal heirs)

1. Mrs.Meerabai Sajandas Hiranandani

(since deceased through her legal heirs)

2. Mr.Tejumal Sajandas Hiranandani & ors. ... Respondents.

Mr.J.S.Chandnani, for the Applicant in C.A. No.379 / 2013 and C.A. No.1772 / 2015 and Appellant.

Mr.Vishal Kasbekar i/b Mr.P.M.Motwani, for Respondent Nos.1 to 4, 6.

***CORAM : N.M. Jamdar, J.
Friday 15 April, 2016.***

P.C. :-

The Civil Application is taken out to seek an injunction against the Respondents from creating third party rights in respect of the suit property.

2. The Appeal filed by the Applicant is admitted on 15 October 2013.

This Court has granted ad-interim relief in terms of prayer clause (a). The learned counsel for the Respondent Nos.1 to 4 states that the Respondent Nos.1 to 4 have already created third party interest in the property before filing of the suit. The learned counsel for the Applicant disputes this position. The contention that the learned counsel for the Respondent Nos.1 to 4 demonstrates that the Respondent Nos.1 to 4 have no concern left in the property. In the circumstances, the ad-interim relief granted on 15 October 2015 to continue till the disposal of the Appeal.

Civil Application No.379 of 2013 is accordingly disposed of.

(N.M.Jamdar, J.)