

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

**APPEAL FROM ORDER NO. 5 OF 2016
WITH
CIVIL APPLICATION NO. 5 OF 2016
WITH
CIVIL APPLICATION (Stm) NO. 7242 OF 2016**

Shri.Bhaskar Moreshwar Bhoir & ors. ... Appellants

vs.

Shir. Moreshwar Mukund Bhoir and ors. ... Respondents

Mr. Sandesh Patil i/by Ms. Monica Kshirsagar, Advocate for the appellants.

Mr. N. V. Walawalkar, Senior Advocate i/by Mr. R. D. Suryavanshi, Advocate for respondents No.4 to 9.

Mr. Amit Borkar i/by D. Pawar, Advocate for respondent Nos.2 and 3.

Mr. Mayuresh Lagu, Advocate for respondent No.10.

Coram : Smt. R. P. SondurBaldota, J.

Date : 8th March, 2016.

P. C. :

1. All the advocates state that no reasons need be stated for the following order.

2. The appeal from order is allowed. The order dated 4th December, 2015 passed on Exh.5 by the trial Court is set aside. The parties are directed to maintain status-quo in respect of the suit property during the pendency of the suit. The status-quo as

admitted is that defendants No.4 to 9 are in possession of the suit property and that they have not carried any construction thereon. The direction for maintaining status-quo will not prevent respondent Nos.4 to 9 from submitting building plans for sanction to the Municipal Corporation – respondent No.10. However, no construction pursuant to the plans if sanctioned shall be carried out. The hearing of the suit is expedited. The trial Court shall endeavour to dispose off the suit within a period of six months from the date of framing of the issues. The parties to appear before the trial Court on 15th March, 2016 for fixing up the programme of the trial.

3. In view of disposal of the appeal from order, Civil Application No. 5 of 2016 and Civil Application (Stm) No. 7242 of 2016 do not survive. The same are accordingly disposed off.

4. The parties to act on authenticated copy of the order.

[Smt. R. P. SondurBaldota, J.]