

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION**

**APPEAL NO. 264 OF 2015
IN
NOTICE OF MOTION NO. 1525 OF 2014
IN
SUIT NO. 962 OF 2014
WITH
NOTICE OF MOTION NO. 798 OF 2015
IN
APPEAL NO. 264 OF 2015**

Runwal Constructions & Anr.	..	Appellants
versus		
M/s. Electronfab Engineering Pvt. Ltd.	..	Respondents

Mr. Nitin Thakkar and Mr. Cyrus Ardeshir with Mr. Ashir Amin and Ms. Anita Irani i/b. Kanga & Co. for Appellants.
Mr. Darius Khambatta – Senior Advocate with Mr. Aditya Mehta, Ms Sheetal Sabnis and Mr. Praveen Kejriwal i/b. Gagrats for Respondents.

**CORAM: DR. MANJULA CHELLUR, C. J. AND
M. S. SONAK, J.
DATE : 01 SEPTEMBER 2016**

P.C.:

1] We have gone through the impugned order. As a matter of fact restriction of the restraint mentioned at paragraph 4 of the impugned order is only by way of ad interim relief. Learned Judge has granted eight weeks time to file reply by the appellants which is not yet filed and the time within which it has to be filed is since over, we extend the same by two weeks. Rejoinder, if any, to be filed within one week thereafter.

2] Since the matter would be heard on merits so far as the motion, we are of the opinion, we need not intervene with regard to ad interim relief which is to be dealt with after the reply being filed on merits. Therefore, we express no opinion on merits of the case and further while considering the motion, none of the observations in the impugned order would come in the way of the parties.

3] Both the parties are at liberty to seek earlier disposal of the matter.

4] Appeal is disposed of accordingly. In view of disposal of appeal, nothing survives in the notice of motion and the same also stands disposed of.

CHIEF JUSTICE

(M. S. SONAK, J.)

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