

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

**APPEAL NO. 734 OF 2007
IN
NOTICE OF MOTION NO. 1765 OF 2005
IN
SUIT NO. 1575 OF 2005
ALONGWITH
NOTICE OF MOTION NO. 4308 OF 2007
IN
APPEAL NO. 734 OF 2007**

Shri Harilal Shankarbhai Patel (since deceased)

a) Kaushalya Haribhai Patel & Ors. ... Appellants.

V/s.

Shri Vishnuprasad Shankarbhai Patel

through his legal heirs -

1(a) Mrs. Sarojben Vishnuprasad Patel & Ors. ... Respondents.

None present.

**CORAM : V. M. KANADE AND
MRS.SWAPNA JOSHI,JJ.**

DATE : 31st AUGUST, 2016

P.C. :

1 None appears on behalf of the Appellant and the Respondents.

2 This Appeal is filed against the order dated 8th March, 2007 passed by the learned single Judge, who was

pleased to grant interim injunction, as prayed in the Notice of Motion No. 1765 of 2005 in terms of the prayer clause (b) and the Notice of Motion was disposed of. This Appeal is pending since that date. The interim injunction is continued for the period of last about nine years and six months. We have perused the impugned order. We concur with the view taken by the learned single Judge.

3 The Appeal is, therefore, dismissed. However, hearing of the Suit is expedited.

4 In view of dismissal of the appeal, the Notice of Motion No. 4308 of 2007 does not survive and the same is disposed of as such.

(MRS.SWAPNA JOSHI,J.)

(V. M. KANADE,J.)

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