

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

**NOTICE OF MOTION NO.4071 OF 2009
WITH
NOTICE OF MOTION NO.855 OF 2010
WITH
NOTICE OF MOTION NO.3120 OF 2011
IN
SUIT NO.3056 OF 2009**

Uma M. AmerseyPlaintiff

V/s.

Leena R. DalalDefendant

Mr. Rishabh Vora i/b. Hariani & Co. for the plaintiff.

Mr. U.J. Makhija a/w. Mr. Patil i/b. Mr. S.G. Surana for the defendant.

CORAM : K.R.SHRIRAM,J

DATE : 7th JULY, 2016

P.C.:-

NMS/4071/2009

1 Mr. Makhija, counsel appearing for the defendant states that by an order dated 14th December, 2009 both the parties agreed that they shall maintain status quo in relation to the suit properties and accordingly direction was passed that until the motion was heard and finally disposed of, both parties shall maintain status quo as of that date in relation to the suit properties. It was also recorded that the order of status quo was passed without prejudice to the rights and contention of the parties.

2 Mr. Makhija, counsel for the defendant states that the order of status quo can be continued until the disposal of the suit and at the stage of hearing of the suit the parties will raise their respective contentions, which will be decided by the court.

3 In view of the above, the status quo order passed on 14th December, 2009, is extended upto the disposal of the suit.

4 The notice of motion accordingly stands disposed.

NMS/855/2010

1 This notice of motion is filed on 25th March, 2010. The counsel for the plaintiff states that no ad-interim order was granted. Mr. Makhija, counsel appearing for the defendant, on instructions from Mr. Surana states that the plaintiff had applied for ad-interim on 29th March, 2010 and the ad-interim order was not granted.

2 The prayers sought in the notice of motion are to restrain the defendant from changing any lock or putting additional lock without the prior permission from the court and also to prevent the defendant from interfering with the day to day activities of the plaintiff including her ingress and egress, occupying the immovable properties, etc.

3 Since the status quo order has already been passed earlier,
I see no reason why such notice of motion is, in any event, required.

4 Therefore, the notice of motion accordingly dismissed.

NMS/3120/2011

Stand over to 21st July, 2016.

(K.R.SHRIRAM,J)