

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 103 OF 2011**

Ramesh Ganesh Saxena	...Appellant
<i>Versus</i>	
Avadhesh Ganesh Saxena	...Respondent

Mr Dilip Rai, *i/b A Singh, for the Appellant.*

**CORAM: G.S. PATEL, J
DATED: 15th June 2017**

PC:-

1. I am informed that the Suit has proceeded to trial and the evidence of the Defendant is going on.

2. By an order dated 27th April 2011, AS Oka J directed that till the disposal of the Appeal or the Suit, whichever is earlier, the Respondent would not create third party interest without prior permission of the Court. The Respondent to the Appeal is the original Defendant to the Suit.

3. In view of this, the Appeal can itself be disposed of by continuing the order of 27th April 2011 until the final disposal of the Suit and, should the Plaintiff fail in the Suit, for a period of eight weeks thereafter.

4. The Appeal from Order is disposed of in these terms without any assessment on merits. There will be no order as to costs.

(G. S. PATEL, J)