

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
APPEAL FROM ORDER NO. 302 OF 2015  
WITH  
CIVIL APPLICATION NO. 373 OF 2015**

|                                      |                |
|--------------------------------------|----------------|
| Aruna Suresh Dhanak Alias Soni & Anr | ...Appellants  |
| <i>Versus</i>                        |                |
| Pramod Kumar Dhakan Alias Soni & Ors | ...Respondents |

\_\_\_\_\_

*None for the Appellants.*

\_\_\_\_\_

**CORAM: G.S. PATEL, J  
DATED: 3rd July 2017**

**PC:-**

1. The Appeal is against the order of 22nd June 2015 refusing ad-interim relief. The Plaintiffs are in Appeal. They filed a Suit seeking restraining order against the Defendants from creating any third party rights in respect of Room No. 9 (180 sq. ft., partially collapsed) in Sakpal Chawl, Jainuddin Compound, 3rd Carter Road, Borivali (E), Mumbai 400 066.
  
2. The learned Judge found that there was material on record to indicate that the 1st Plaintiff had willingly handed over possession of the suit premises and gone to stay at Gorai. Hence ad-interim reliefs were refused. The order calls for no interference.

**3.** The Appeal is dismissed. The Civil Application does not survive. There will be no order as to costs.

**(G. S. PATEL, J.)**