

Rane

* 1/2 * CAF-1347-2017 (SR.10)
Tuesday, 12.12.2017

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1347 OF 2017

IN

FIRST APPEAL NO. 382 OF 2017

Smt. Kusum Moreshwar Bhoir

and Ors.

....Applicants

V/s.

Shri. Bhaskar Moreshwar Bhoir

and Ors.

....Respondents

* * * *

Mr. Rajiv Narula a/w. Mr. Ryan Menenzes, i/by. Mr. M.S. Pandey, Advocate for the applicants.

Mr. S.D. Patil i/by. Ms. Anusha Amin, Advocate for respondents no.1 to 3.

CORAM :-

R.M. SAVANT &

SANDEEP K. SHINDE, JJ.

DATE :-

12TH DECEMBER, 2017.

P.C. :-

1. The above Civil Application has been filed for stay pending the above Appeal. It seems that, during the pendency of the suit, an order of status-quo was in

operation by virtue of the order passed in an Appeal from Order. The said order of status-quo has thereafter been continued by this Court by virtue of the ad-interim order passed in the above Civil Application on 12th October, 2017 by limiting it to title and possession of the suit property. In our view, it would be just and proper to continue the said order of status-quo, pending the hearing and final disposal of the above First Appeal. The Civil Application is accordingly disposed of by ordering status-quo to be maintained in respect of title and possession. In the event, the applicants/original appellants desire to use the property for their own purpose, they would have to apply to this Court and seek permission, which application would be considered on its own merits and in accordance with law.

(SANDEEP K. SHINDE, J)**(R.M. SAVANT, J)**