

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.964 OF 2014  
IN  
SECOND APPEAL NO.432 OF 2014**

Mr. Gausmahammad Sayyad Bagnikar ... Applicant / Appellant

V/s.

Mr. Guffar Hamid Butler ... Respondent

...

*Mr. Ashutosh M. Kulkarni a/w. Mr. Akshay Kulkarni for the applicant.  
None for the respondent.*

...

**CORAM : S. C. GUPTE, J.**

**DATE : 24 FEBRUARY, 2017.**

**P.C. :**

. Heard the learned Counsel for the parties.

2. The respondent is absent despite service. The appellant impugns the First Appellate Court order rejecting the appellant's suit which was earlier decreed by the Trial Court.

3. The Appeal has been admitted by this Court. The appellant's suit is for possession and, accordingly, pending the hearing and final disposal of the Second Appeal, a protective order in respect of the property is necessary.

4. The Civil Application is allowed in terms of prayer clause (b). No order as to costs.

**( S. C. GUPTE, J.)**