

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

**CIVIL APPLICATION NO.1618 OF 2016
IN
FIRST APPEAL NO.1452 OF 2016**

Smt.Pushpa Pramod Laxman Shenoy ..Applicant/Appellant
(Original Plaintiff)

V/s.

Pramod Laxman Radhakrishna Shenoy
& Others ..Respondents

Mrs.Pushpa Shenoy Applicant Party in person present.

Mr.P.L.Shenoy Respondent Party in person present.

Ms.Nisha Agnihotri Respondent No.2 Party in person present.

Mr.K.K. Jadhav for Respondent No.3.

CORAM : M. S. SONAK, J.

DATE : 17 JANUARY 2017.

P.C.

1. By Civil application No.1618 of 2016 the applicant-appellant, who insists on appearing in person has prayed for several interim reliefs. Most of the interim reliefs are virtually in the nature of final reliefs and therefore, it is not possible to grant them at this stage. Besides, it should be noted that the order which the applicant has impugned in this petition is

partly in her favour. In the impugned judgment and decree, the respondent nos.1 and 2 and their agents, servants, representatives have been perpetually restrained from causing obstruction and interference or dispossessing the applicant from the Flat No.2D, Hormazd Apt, 44 Pali Mala Road, Bandra (W), Mumbai without following due process of law.

2. At this stage, the applicant express his apprehensions that the respondents will take law in their own hands and physically try to dispossess her and her family members from the suit apartment. The respondent No.1, who is also present in person and who says that he is 82 years of age makes a statement that he has not gone to the suit flat and he obviously has no intentions of taking law in his own hands and physically dispossessing the applicant and her family members. However, he states that he has already taken out the legal proceeding in relation to the said flat and he will pursue the said legal proceedings in relation to the said flat. Similarly, respondent no.2 is also present in person and states that there is no question of her physically evicting the applicants or her

family members from the suit flat.

3. In my judgment, considering the injunction granted by the Trial Court in the impugned judgment and decree and statements to the aforesaid effect by respondent nos.1 and 2 there is no need of granting any further reliefs in the Civil Application. The Civil Application is accordingly disposed of.

(M. S. SONAK, J.)