

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.713 OF 2014
WITH
CIVIL APPLICATION NO.2112 OF 2014**

Premsons	...Appellant
<i>Versus</i>	
Choice Centre	...Respondent

**Mr Prasad Dani, Senior Advocate, *with Neel Gala, Kevin Gala i/b
Neel Gala, for the Appellant.***
Mr Bharat Joshi, *for the Respondent.*

**CORAM: G.S. PATEL, J
DATED: 13th June 2017**

PC:-

FIRST APPEAL NO.713 OF 2014

1. Admit. Call for the R&P. Paper book to be filed within eight weeks. Printing of paper-book is dispensed with.

CIVIL APPLICATION NO.2112 OF 2014

2. A statement is made on behalf of the Respondent that the Respondent's shop is closed or amalgamated with another shop. In any case, the passageway that was the subject matter of the non-

complete agreement, i.e., the space where the Respondent had agreed not to carry out the business is no longer in existence. The Respondent says it has surrendered possession. In addition it is stated that the Respondent firm stands dissolved under orders of this Court as on 3rd May 2006. The Respondent also claims that it has surrendered possession of the premises.

3. In this view of the matter, no interim or ad-interim relief are possible on this Civil Application. It is accordingly dismissed with liberty to the Appellant to apply if there is change of the circumstances.

4. The Civil Application is disposed of in these terms with no order as to costs.

(G. S. PATEL, J.)