

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER No. 966 OF 2016
WITH
CIVIL APPLICATION No. 1210 OF 2016**

Anand Arun Karambelkar & Ors. ... Appellant/Applicant

Vs.

Smt. Kamal Dattatraya Karambelkar & Ors. ... Respondents

Mr. M.S. Topkar, Advocate for the appellant/applicant.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **18th September, 2017.**

P.C.:

This Appeal from Order is directed against the order dated 26th July, 2016 passed in Notice of Motion in L.C. Suit No. 1541 of 2016 thereby refusing the relief of injunction against defendant nos. 1 to 6 & 10.

2. The learned counsel for the appellant submitted that the appellant is not a party to the Development Agreement. The ad-interim order passed by the trial Court consists with the contradictions and needs to be set aside. The hearing of Notice of Motion is fixed in the first week of November, 2017.

3. In this matter, notices are not issued to the respondents. This

Appeal from Order had come up for hearing after one year. Considering the time gap and as the Notice of Motion is fixed for hearing in the first week of November, 2017, I am of the view that it is appropriate that the trial Court to proceed with the Notice of Motion and dispose it on or before 13th November, 2017.

4. Appeal from Order is disposed of. Civil Application is also accordingly disposed of.

(MRIDULA BHATKAR, J.)