

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 1050 OF 2014

Raees Akhtar Mohd Moosa Khan & Ors	...Appellants
<i>Versus</i>	
Nafis Akhtar Mohd Moosa Khan & Ors	...Respondents

Mr PA Dattatray, for the Appellant.
Mr Kamlesh P Mali, for Respondent No. 3.

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

PC:-

1. The challenge is to an order dated 23rd June 2014. The Plaintiffs' Notice of Motion seeking appointment of Receiver and for mandatory injunction or order was dismissed. In my view, the learned Judge correctly observed that there was no case made out for the appointment of Receiver.

2. In any case, without going further into the merits of the matter it is accepted that the Suit itself has proceeded to the stage where issues have been framed and trial will shortly commence.

3. In this view of the matter, I do not believe any interference is called for as that would undoubtedly result in a complete alteration of the *status quo* at a time when the Suit is at its final stages.
4. The Appeal is dismissed as withdrawn. The Suit will be decided on its own merits uninfluenced by the observations either in the interim order or this order.
5. All rights and contentions are specifically kept open.

(G. S. PATEL, J)