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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 213 OF 2015
WITH
CIVIL APPLICATION NO. 273 OF 2015

The Ruki Mahal CHS Ltd	...Appellant
<i>Versus</i>	
Prakash L Khatwani & Ors	...Respondents

Mr SP Kanuga, i/b Sapna Nath, for the Appellant/Society.
Mr HN Walawalkar, for Respondents Nos. 1 & 2.
Mrs Madhuri More, for MCGM.

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

PC:-

1. The Notice of Motion granted interim reliefs on 16th July 2014. That state of affairs has continued since then. In the meantime, the suit has progressed. The trial seems to have begun. If this be so, there is no reason to interfere at this stage and to upset the interim order that has for so long held the field.

2. The Appeal is dismissed. There will be no order as to costs.

3. The Civil Application does not survive and is disposed of as infructuous.

4. However, it is clarified that this is without any assessment on merits and having regard only to the passage of time. The Suit will be decided on its own merits uninfluenced either by the interim order or by this order.

(G. S. PATEL, J)