

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

**APPEAL FROM ORDER NO.1071 OF 2014
WITH
CIVIL APPLICATION NO.1295 OF 2014
IN
APPEAL FROM ORDER NO.1071 OF 2014**

M/s. Sunrise Enterprises & Anr. ... Appellants
vs.
Mrs. Shraddha Pravin Mhatre & Ors. ... Respondents

Mr. K.S. Dewal i/b Mr. Jayesh Joshi for the Appellant.
Mr. Gauri Velankar i/b Mr. Mandar Limaye for the Respondent Nos.1
and 2.

Coram : **A.A.Sayed, J.**
Date : 10 April 2017

P.C. :

1 The Appeal impugns an order dated 27 August 2014 passed by the learned Civil Judge Senior Division, Thane. By the impugned order, the Application (Exhibit 5) is partly allowed and the Defendant Nos.1 and 2 are restrained from creating third party interest in respect of two adjoining flats in salable building proposed to be constructed till final disposal of suit.

2 Considering the fact that the interim order dated 27 August 2014 is operating till date and it is stated that the suit is ripe for hearing, I am not inclined to interfere with the impugned order. In the circumstances, the Appeal from Order is disposed of by passing the following order:

ORDER

- i) The impugned order shall continue to operate during the pendency of the suit.
- ii) The suit is expedited. The trial Court shall endeavour to dispose of the suit by end of year 2018.
- iii) The Civil Application is not survive and the same is disposed of.

(A.A.Sayed, J.)