

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4096 OF 2017
IN
FIRST APPEAL ST. NO.33878 OF 2017

Smt.Rani Vijaykumar Agarwal ... Applicant

Vs.

Shri Thakorbhai Sukharbhai Patel & Ors. ... Respondents

Mr.Maulik K. Tanna for the Applicant
Ms.Prabha U. Badadare for Respondent Nos.1, 2 and 3
Ms.Prachi Khandge i/b M.P. Vashi Associates for Respondent No.4
None for Respondent No.5

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: DECEMBER 22, 2017

P.C.:

1. Learned Counsel for the appellant, who is the original defendant No.2, submits that the plaintiffs' suit for possession and injunction i.e., Special Civil Suit No.20 of 2009 is decreed by the learned Civil Judge Senior Division at Daman, vide judgement and order dated 19.7.2017. He submits that the appellant apprehends that the plaintiffs may take possession of the suit premises. He submits that he is in possession of the suit premises since 2008.

2. The learned Counsel for the plaintiffs is present. She submits that the possession is with the appellant.
3. In view of the above, the impugned judgement and decree dated 19.7.2017 is stayed till admission. List the appeal on Board on **21.3.2018.**
4. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)