

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 434 OF 2016  
WITH  
CIVIL APPLICATION NO. 563 OF 2016

|                                    |                |
|------------------------------------|----------------|
| Ratan Corporation Limited          | .. Appellant   |
| vs.                                |                |
| Sun Shine Realtors Private Limited |                |
| and ors.                           | .. Respondents |

None for both the parties.

**CORAM : M. S. SONAK, J.**  
**DATE : 04 JANUARY 2017.**

**P.C. :-**

1] The challenge in this appeal is to the order dated 29 December 2015, by which, ad-interim relief as prayed for, was declined to the appellant.

2] This court on 11 January 2016, had directed learned Trial Judge to dispose of the issue under section 9A of the CPC within four weeks from the order. It was clarified that merely because the present appeal is pending before this court, proceedings of the trial court are not stayed.

3] Today, neither the appellant nor their counsel are present. Accordingly, the decision on the preliminary issue under section 9A of the CPC is not known.

4] The impugned order, by reference to this court's order dated 30 September 2015 in Company Petition No. 129 of 2015 (page 54

of the paper book) has already observed that the parties are to maintain *status quo* in respect of share holding and not to create any third party right over the property without leave of this court.

5] In the aforesaid circumstances, there is no necessity to keep this appeal pending, particularly since the order made therein was in relation to grant of ad-interim relief.

6] Accordingly, this appeal from order is disposed of. Accordingly, the civil application in this appeal do not survive and even the same are also disposed of.

**(M. S. SONAK, J.)**

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