

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.1741 OF 2011
IN
SUIT NO.1268 OF 2011
WITH
SUIT NO.1268 OF 2011**

Shirish J.Sheth & Ila Shirish ShethPlaintiffs

V/s.

Rajnikanth J.Sheth and Ors.Defendants

Mr.Ashish Kamat a/w Mr.Kunal Mehta i/by Munir Merchant for
plaintiffs.

None for defendants.

**CORAM : K.R.SHRIRAM,J
DATE : 2.2.2017**

P.C.:-

1 In view of the statement made by the defendant no.1 and the order passed against defendant no.2 as recorded in the order dated 5.5.2011 read with order dated 15.6.2011 read with order dated 29.6.2011 and in view of the order dated 11.5.2012 in Notice of Motion No.3200 of 2011 in Suit No.1268 of 2011, the parties are directed not to create any 3rd party rights or part with possession in regard to the suit flat.

2 Notice of Motion accordingly disposed.

3 Mr.Kamat for the plaintiffs asked for appointment of Court

Receiver so that the access to the flat is given to the plaintiffs. Since such a relief is not prayed for in the above Notice of Motion, it will be open for the plaintiffs to take out appropriate application.

Stand over to 10.2.2017 for directions.

(K.R.SHRIRAM,J)