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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

**NOTICE OF MOTION NO. 468 OF 2017
IN
WRIT PETITION NO.1661 OF 2017**

Amit Gems
A Partnership Firm, through the
Karta of its partner Mr. Sanjay Parekh (HUF)Applicant
(Orig. Petitioner)

In the matter between

Amit Gems
A Partnership Firm, through the
Karta of its partner Mr. Sanjay Parekh (HUF)Petitioner.

V/s

State Bank of India and Others Respondents.

Mr. Raghavan Sarathy a/w Mr. Tejas Luniya i/b M/s Thodur Law
Associates for the Applicant/Petitioner.

Ms. Medha R. Behere a/w Mr. Rahul Singh for Respondent Nos. 1 and
2.

Mr. Himanshu Takke, Asstt. Govt. Pleader for Respondent No.4 –
State.

**CORAM: B. R. GAVAI &
SANDEEP K. SHINDE, JJ.**

DATE: 5th October, 2017

P.C.:-

1] Prayer made in the Notice of Motion, is seeking a mandatory injunction for restoring the possession. By now, it is a settled principle of law that the Courts would be slow in granting of injunction which is mandatory in nature. Unless, exceptional case is made out, it will not be permissible for this Court to grant an order of injunction which is mandatory in nature.

2] In that view of the matter, Notice of Motion is rejected.

(SANDEEP K. SHINDE, J.)

(B. R. GAVAI, J.)