

(APP 193 of 2016)

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

APPEAL No. 193 OF 2016
IN
NOTICE OF MOTION No. 953 OF 2013

Nishit Ramawadh Jayaswal and Ors.	...Appellants
Vs.	
Akhtar Malik and Anr.	...Respondents

Mr. Sanjeev R. Singh for the Appellants
Mr. Pradip Rajput for Respondent No.1

**CORAM : V.M. KANADE &
C.V. BHADANG, JJ**

DATE : APRIL 17, 2017

P.C. :

1. This appeal is filed against refusal to grant interim relief claimed by the Appellants. It is well settled position in law that in a suit which is filed under section 6 of the Specific Relief Act, no appeal against an order and decree is maintainable and, as such, this appeal is not maintainable. Appeal, therefore, is dismissed, reserving the right of the Appellants to take out an appropriate proceedings. Appeal is accordingly disposed of.

2. In view of the disposal of the Appeal, nothing survives in the Notice of motion filed therein. Hence, Notice of motion is also disposed of.

[C.V. BHADANG, J.]

[V.M. KANADE, J.]