

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAS] No. 640 of 2016
IN
Second Appeal No.310 of 2012
[Sadashiv Lakhuji Chaudhary Vs. Smt. Laijabai Ramaji Madavi
[dead] & two others]

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. R.S. Sundaram, Adv., for the applicant.
Mr. U.J. Deshpande, Adv., for non-applicant nos. 2 and 3.

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CORAM : A. S. CHANDURKAR, J.

DATE : 21st August, 2017

By this application, it is prayed that the respondent nos. 2 and 3 be restrained from making any construction on the Southern side of the appellant's house property. It is submitted that the suit was filed for permanent injunction seeking to restrain the respondents from making any encroachment and thereafter making further construction on the suit property. A prayer for mandatory injunction to remove the encroachment was also made. Both the Courts,

however, have dismissed the suit.

Shri U.J. Deshpande, learned counsel for the respondent nos. 2 and 3, on instructions made a statement on 1st August, 2017 that the respondents were not undertaking any construction on the Southern side of the house property of the appellant.

In view of this statement, during pendency of the appeal, the respondents are restrained from undertaking any construction on the Southern side of the house property of the appellant.

Civil Application is disposed of.

Judge

[hedau]