

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.395 OF 2015

Mrs. Yashoda Gowda & Ors. .. Appellants
Versus
Hathiramji Mutt & Ors. .. Respondents

Mr. V.R.Mishra I/b. Rahul Sharma for appellants
Mr. Roop Basu I/b. Ajay G. Khaire for respondent No.1.

CORAM : DR.SHALINI PHANSALKARJOSHI, J.

DATE : 17th September 2018.

P.C.

Heard learned Counsel for the parties. Perused the order passed by the trial court. As per the said order, the trial court has refused ad-interim ex parte injunction and issued notice to the defendants. The order is dated 14th January 2015 and it is only in respect of refusal of ad-interim relief.

2] The notice of motion or the application for temporary injunction must be pending before the trial court. In view thereof, there is no point in keeping this appeal pending, especially when the notice of motion is pending before the trial court. Hence the appeal

stands dismissed.

3] At this stage a request is made for extension of ad-interim relief granted by this Court. In my considered opinion, no such case is made out for extension of ad-interim relief. Hence that request is also rejected.

(Dr. Shalini Phansalkar-Joshi, J.)

Yogeshwar
Bhalchandra
Gokhale

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Bhalchandra Gokhale
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