

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.1007 OF 2010
WITH
CIVIL APPLICATION NO.1224 OF 2010
IN
APPEAL FROM ORDER NO.1007 OF 2010**

Rajesh Dilip Rajpurkar & Anr. ...Appellants
Versus
Prakash Vasant Rele and Ors. ...Respondents

.....

Mr. Ranveer Shekhawat with mr. Jagdish Choudhary i/b. M/s. Raj Legal for the Appellants/Applicants.
Mr. Aakansha Agrawal i/b. M/s. Khaitan and Jaykar for the Respondent Nos.1 to 19.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 13th APRIL, 2018.

P.C.:-

The Appellants herein had challenged the order dated 23rd June, 2010 whereby the learned Judge, Greater Bombay had partly allowed the Notice of Motion No.834 of 2010 filed by the Respondent in S.C. Suit No.778 of 2010 and directed the parties to maintain status-quo as to the possession in respect of the Room Nos.4 and 5 till the disposal of the suit on merits.

2. By order dated 24th January, 2011 in Civil Application No.1224 of 2010 this Court had observed that prima facie the

Appellants are in possession of the suit premises and in view of the said fact, had stayed the impugned order. However, in order to protect the interest of the Respondent -Plaintiff, the Appellants-Defendants were directed not to create any third party interest till the disposal of the suit or during the pendency of the appeal, whichever is decided earlier.

3. The learned counsels representing the parties, upon instructions, state that they will abide by the order dated 24th January, 2011 passed in Civil Application No.1224 of 2010 till the disposal of the suit. Statement is accepted. The Civil Application stands disposed of.

4. In the light of above statement, appeal stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)