

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (STAMP) NO. 21343 OF 2018
WITH
CIVIL APPLICATION (STAMP) NO. 21345 OF 2018

Three S Health Care Pvt. Ltd. .. Appellants
vs.
M/s. Sai Ashish Marketing India Ltd. .. Respondents

AND
APPEAL FROM ORDER (STAMP) NO. 21371 OF 2018
WITH
CIVIL APPLICATION (STAMP) NO. 21374 OF 2018

Three S Health Care Pvt. Ltd. .. Appellants
vs.
M/s. S. S. V. K. Enterprises .. Respondents

Mr. Ashok Saraogi for Appellants.

CORAM : M. S. SONAK, J.
DATE: 14 AUGUST 2018

P.C :

1] Heard Mr. Saraogi, the learned counsel for the appellants in both these appeals.

2] At the very outset, Mr. Saraogi points out that after the impugned orders dated 16th July 2018 were made, the appellants have been dispossessed from the suit premises.

3] In view of the aforesaid statement, at least these two appeals have been rendered infructuous. This is because the appeals were

against the orders dated 16th July 2018 by which the appellants had sought for temporary injunction to restrain the respondents from dispossessing the appellants otherwise than by due process of law.

4] Mr. Saraogi however submits that the appellants seek to amend the plaints and take out appropriate applications seeking for restoration of possession.

5] Obviously, the appellants, are at liberty to take out such proceedings as may be permissible in law. If such applications / proceedings are taken out, there is no doubt that the same will be considered and disposed of by the learned trial Judge in accordance with law.

6] However, for the present, these appeals will have to be disposed of as infructuous and they are accordingly disposed of as infructuous.

7] Civil Applications do not survive and are disposed of accordingly.

(M. S. SONAK, J.)