

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2607 OF 2016
IN
WRIT PETITION NO. 8240 OF 2016

Pratik Shrikant Jadhav

.. Applicant

Versus

Walmik Mahadev Bhise

.. Respondent

Mr. Swapnil R. Patil for the Applicant.

Ms. Nilam G. Mohite I/b S.P. Garwadkar for the Respondent.

CORAM : M.S. SONAK, J.

DATE : 19 NOVEMBER 2018.

P.C:-

1. Heard learned Counsel for the parties.

2. The main Writ Petition has already been admitted. By this Civil Application, the Petitioner-Applicant seeks interim relief. One of the relief applied for is that restoration of possession of the suit premises. This relief is quite correctly not pressed by the learned Counsel for the Petitioner.

3. Learned Counsel for the Petitioner, however, submits that the Respondent be at-least restrained from creating any tenancy in respect of the suit premises pending the final disposal of this Petition.

4. Taking into consideration the facts of the present case, including in particular position that the Petitioner was not even residing

in the suit premises at the time of the demise of his father, the relief as applied for cannot be granted. However, it can always be clarified that any action which the Respondents shall take in respect of suit premises shall be subject to final orders that may be made in this Petition.

5. Accordingly, this Civil Application is disposed of with the aforesaid clarification.

(M.S. SONAK, J.)