

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

**APPEAL FROM ORDER (ST.) NO. 29847 OF 2013  
WITH  
CIVIL APPLICATION (ST.) NO. 29849 OF 2013**

|                                |     |             |
|--------------------------------|-----|-------------|
| Kisan Madhavprasad Chaudhari   | ... | Appellant   |
| V/s.                           |     |             |
| Sachendra @ Manoj Bhimashankar |     |             |
| Chaudhari & Ors.               | ... | Respondents |

- Mr.Prajakt M. Arjunwadkar for the Appellant.

**CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.**

**DATE : 26<sup>th</sup> SEPTEMBER, 2018.**

**P.C. :**

1] This Appeal is preferred against the order passed by the trial Court rejecting the relief of interim injunction restraining the Respondents from creating third party interest in the suit property. The said order is passed in the year 2013.

2] Though, initially in the year 2013, the ad interim relief was granted by directing Respondent Nos.1 to 17 to maintain status-quo in respect of the property so far as creation of third party right and/or interest is concerned, the said relief is not extended further. Therefore, it would be in the fitness of things, if the Appeal is disposed of, without entering in to the merits of the order passed by the trial Court, so that the hearing of the suit can be proceeded with.

3] Hence, the Appeal along with Civil Application therein stands dismissed.

**[DR.SHALINI PHANSALKAR-JOSHI, J.]**