

Sarnobat

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

**FIRST APPEAL NO. 97 OF 2018
ALONGWITH
CIVIL APPLICATION NO. 305 OF 2018
ALONGWITH
FIRST APPEAL (STAMP) NO. 29032 OF 2017
ALONGWITH
CIVIL APPLICATION (STAMP) NO. 29037 OF 2017
ALONGWITH
CIVIL APPLICATION NO.8806 OF 2018.
ALONGWITH
CIVIL APPLICATION NO. 3256 OF 2017
IN
FIRST APPEAL (STAMP) NO. 29032 OF 2017**

Mr. Babulal Jain & Ors.

... Appellants

Vs.

Pawan Bacharaj Chandan & Anr.

... Respondents.

Mr. Rohan Sawant a/w Mr. Yogesh Adia a/w Jitendra Jain, Ms. Krupa Vayeda I/b Sheetal Mehta, for the Appellants.

Mr. Sanjiv Sawant I/by Abhishek P. Deshmukh, for the applicant in FAST 29032/17, CAFST 29037/17 and CAF 3256/17.

Mr. Yegeshwar S. Bhate, for Applicants in CAFST 8806/18 & CAFST 8799/18

Mrs. Madhuri More, for the Respondent/MCGM.

CORAM : V. M. DESHPANDE, J.

DATE : 17th JULY, 2018.

P. C. :

FIRST APPEAL NO. 97 OF 2018.

1. Heard Shri Rohan Sawant learned counsel for the appellant. **Admit.** Mrs. Madhuri More learned counsel for Corporation

waives service.

CIVIL APPLICATION NO. 305 OF 2018.

2. This is an application for stay. After hearing the parties the application is allowed. Parties are directed to maintain status-quo as on 12th October, 2017.

FIRST APPEAL (STAMP) NO. 29032 OF 2017.

3. This appeal is exception to the judgment and decree in L.C. Suit No. 2683 of 2011 by which the Suit filed on behalf of the appellants is dismissed. Heard Shri Sanjiv Sawant learned counsel for appellant and Mrs. More learned counsel for Corporation. **Admit.**

CIVIL APPLICATION (STAMP) NO. 8806 OF 2018.

4. Heard Shri Bhate learned counsel for the applicant. This application is for intervention in the appeal. The application is allowed. The applicant herein is permitted to join as a respondent in this matter. The appellant is directed to carry out amendment in the cause title within six weeks from today and also furnish all copies of memo of appeal to learned counsel Shri Bhate .

CIVIL APPLICATION NO. 3256 OF 2017.

5. This is an application for stay. This court on 12th October, 2017 has granted interim order directing to the parties to the application as well as to the appeal to maintain status-quo. The said is in operation. In that view of the matter the application is allowed. The

parties are directed to maintain status-quo as on 12th October, 2017 during the pendency of the present appeal. Application allowed and disposed of.

CIVIL APPLICATION(STAMP) NO. 8799 OF 2018.

6. The applicant in this application are permitted to join as respondent. The counsel for the appellant to furnish the copies of memo of appeal and other documents to the learned counsel Shri Bhate. Amendment to be carried out within a period of Six weeks.

[V. M. DESHPANDE,J.]