

VKS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.272 OF 2015
WITH
CIVIL APPLICATION NO.336 OF 2015.

Sharad Gokulchand Lahoti
and ors

.... Appellants.

V/s.

Digambar S. Gowardhandas and ors

.... Respondents

Mr. Girish S. Godbole, i/by Mr. Sumit S. Kothari, for the Appellants

Mr. Sachin Gite, for the Respondent. No.1.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 22nd OCTOBER, 2018.

P.C. :

- 1] Heard learned counsel for the appellants and respondents.
- 2] This Appeal from Order is preferred against the order 15.9.2014, passed by the 5th joint Civil Judge Senior Division, Nashik in Special Civil Suit No.391 of 2013, thereby restraining the appellants from creating third party interest in the plot Nos. 13 to 15 and 18 to 21 of the suit property till disposal of the suit.
- 3] The said order is passed in the year 2014 and the suit is of the year 2013, therefore, it will be proper to direct the trial Court to

decide the suit itself, without interfering in the said order at this stage. Hence, the Appeal from Order is disposed off without expressing any merits on the order.

4] In view of disposal of the Appeal itself, pending Civil Application therein no more survives and the same is disposed off accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]