

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO. 513 OF 2015
IN
SUIT NO. 2573 OF 2012**

Yogesh J. Mehta and Anr. ...Plaintiffs

Vs.

Padmavati J. Mehta & Anr. ...Defendants

Mr.Ray Patel with Amruta Sawant I/b. Sonal Doshi & Co. for
Plaintiffs/Applicants.

Ms.Prachi Khandge with Pamela Dalal I/b. M.P. Vashi & Associates for
Defendants.

CORAM : S.C. GUPTE, J.

DATE : 7 FEBRUARY 2018

P.C. :

This notice of motion is in respect of the suit property,
partition of which is claimed in the present suit.

2 Without prejudice to the rights and contentions of her clients,
Learned Counsel for Defendant Nos.1 and 2 states that in case her clients
want to alienate these properties, namely, Item Nos.145, 151 and 152 of
Exhibit D to the affidavit in reply of the Defendants, at any time in future,
they will give a minimum notice of two weeks to the Plaintiffs. The
statement is accepted.

3 Learned Counsel for the Plaintiffs does not press any other
reliefs, in view of the statement.

4 The notice of motion is disposed of. It is made clear that this court has not applied its mind to the rival contentions of the parties and as and when the notice, referred to above, is given, the Plaintiffs will be at liberty to apply for interim relief in respect of these properties and the matter will be decided on its own merits. All rights and contentions of the parties in this behalf are kept open.

(S.C. GUPTE, J.)