

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****NOTICE OF MOTION NO.625 OF 2013****IN****SUIT NO.279 OF 2013**

Sai Krupa Developers ... Plaintiff
Versus
Ramadhar Shivsambat Dwivedi And 22 Ors. ... Defendants

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Mr. Anosh Sequira, a/w. Ms. Urvi Tanna, i/b. M/s. Pravin Mehta & Mithi & Co., for the Plaintiff.

Mr. P.J. Thorat, for Defendant No.16.

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CORAM : **S.C.GUPTE, J.**

DATED : **25 SEPTEMBER 2018**

P.C.:

. This notice of motion is taken out in a suit concerning a plot of land. The dispute in the suit concerns development under an SRA Scheme. By a detailed ad-interim order passed on 8 March 2013, this Court has granted interim relief to the Plaintiff. Defendant Nos. 1 to 6 and 15 to 23 were restrained from in any manner interfering/obstructing development work carried on by the Plaintiff on the suit property and as against this injunction, the Plaintiff was asked to deposit a sum of Rs.53,07,000/- with the Prothonotary and Senior Master. The amount represents the respective shares of the Defendants. In pursuance of this interim order, the amount has been duly deposited by the Plaintiff with the Prothonotary and Senior Master of this Court and in view of the ad-interim injunction ordered by this Court, the Plaintiff has been able to proceed with the development

work without any interference or obstruction from the Defendants named in the order. It appears that several of these Defendants have since entered into consent terms with the Plaintiff and the suit has been disposed of as against them. It also appears that since the passing of the ad-interim order of 8 March 2013, which order was sustained even in the appeal court, there has not been any important fact or development brought to the notice of this Court so as to call for a different assessment of the material or taking of a different view for the purposes of considering grant of reliefs to the Plaintiff. In the premises, the notice of motion is made absolute by confirming the ad-interim order passed on 8 March 2013 as an order pending the hearing and final disposal of the suit. The notice of motion is disposed of.

Smita
Johnson
Gonsalves

Digitally signed by
Smita Johnson
Gonsalves
Date: 2018.09.27
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(S.C.GUPTE, J.)