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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 235 OF 2018
IN
APPEAL LODGING NO. 380 OF 2017
IN
SUIT NO. 2543 OF 2012

Chandulal K. Shah and anr. .. Applicants/
(Org. Respondents)

In the matter between :

Nisha Saraf and anr. .. Appellants

Vs.

C K Shah and anr. .. Respondents

Ms. Sheetal Shah i/by Mehta & Girdharlal for applicants/respondents.
Mr. A. M. Udane for org. appellants.

CORAM: NARESH H. PATIL &
G. S. KULKARNI, JJ.

APRIL 02, 2018.

P.C.

1. Heard the learned counsel for the parties.
2. The applicants-respondents have filed present Notice of Motion seeking direction that pending hearing and final disposal of the appeal, the appellants shall not create third party interest or part with possession of the suit flat. The appeal came to be admitted on 12/10/2017.

3. The learned counsel for the appellants, on instructions, submits that the appellants, their servants, agents, subordinates and/or persons claiming through or under them will not create third party interest of whatsoever nature in respect of the suit flat until further orders.

4. In view of the statement made above, we direct that the appellants shall not create third party interest in the subject flat pending hearing and final disposal of this appeal. All issues on merits are kept open.

5. The learned counsel for the applicants-respondents submits that in view of the order passed on 14/2/2018 in Notice of Motion (L) No.2024 of 2017, appeal be listed for final hearing.

6. List the appeal for final hearing in the week commencing from 14/6/2018.

7. The Notice of Motion is disposed of with liberty.

(G. S. KULKARNI J.)

(NARESH H. PATIL,J.)