

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

**NOTICE OF MOTION NO. 994 OF 2013  
IN  
SUIT NO. 447 OF 2013**

Laxmandas T. Gurnani

...Plaintiff

vs.

Sakina Siraj Hamid & Ors.

...Defendants

Mr.Ashish Gupta I/b. Lexim Associates for Plaintiff.

Mr.Sarang Pathak I/b. Rakesh K. Singh for Defendant Nos.1 to 3.

Mr.Rohan Savant with Mustafa Kachwala I/b. Kachwala Misar & Co. for Defendant Nos.4 and 5.

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

**DATE : 12 OCTOBER 2018**

**P.C. :**

This notice of motion seeks certain protective reliefs in respect of the suit property.

2           In an administrative suit as between the two groups of the Defendants, there is an interim order restraining Defendant Nos.4 and 5 herein from creating any third party rights in respect of the suit property. An additional affidavit tendered by Defendant No.5 in the notice of motion makes the position clear. Since there is already a relief in respect of the suit property, no interim order may be considered as of now in favour of the Plaintiff. In case, however, the interim order in the administrative suit is vacated, the Plaintiff may have liberty to apply for interim relief in the present suit. On that basis, the notice of motion is dismissed with liberty as prayed.

3           The Defendants are directed to give notice immediately to the Plaintiff of any order vacating the interim relief granted in the administrative suit and not take any steps in pursuance of such order for a period of two weeks.

**(S.C. GUPTE, J.)**