

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

SECOND APPEAL NO. 136/2018

(HARISH BHAGWANDAS SUGANDH & OTHERS **VERSUS** DR.NARENDRAKUMAR BANSILAL
CHAUDHARY (JAIN) & ANOTHER)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.R. Srivastava, counsel for appellant.
Shri R.B. Gaikwad, counsel for R-1.
Shri R. Joshi, counsel for R-2.

CORAM : A.S. CHANDURKAR, J.

DATE : OCTOBER 17, 2018.

Heard. **ADMIT** on the substantial questions of law as framed on 06.03.2018.

Shri R.B. Gaikwad, learned counsel, waives notice of hearing on behalf of respondent no.1.

Shri Rohit Joshi, learned counsel, waives notice of hearing on behalf of respondent no.2.

Call for Record & Proceedings.

C.A.S. NO.358/2018.

By this application, it is prayed that the non-applicants be restrained from alienating the suit property.

The decree in question has been passed for half portion of the suit property which is the subject of the agreement between the parties. Considering fact that the appeal has been admitted, the non-applicants are restrained from alienating the suit property and there shall be relief in terms of prayer clause (i) of the civil application. However, in case the non-applicants intend to alienate the suit property they shall first apply to the Court in that regard. Civil application is disposed of.

CROSS APPEAL NO.76/2018.

The Cross Appeal is **ADMITTED**.

However, the objection raised by the original appellants by filing Civil Application (O) No.1606 of 2018 is kept open for being adjudicated alongwith the appeal.

Shri R.R. Srivastava, learned counsel, waives notice of hearing on behalf of appellants (Respondent nos.1 to 3 in Cross Appeal).

Shri R.B. Gaikwad, learned counsel, waives notice of hearing on behalf of respondent no.1 (Respondent no.4 in Cross Appeal).

JUDGE

APTE