

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO.4178 OF 2014

IN

FIRST APPEAL NO.1992 OF 2008

WITH

CIVIL APPLICATION NO.4179 OF 2014

IN

FIRST APPEAL NO.1008 OF 2010

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Atul Damle Sr.Counsel I/b Mr.Manoj Nikose
for the applicant

Ms.Rumi Mishra I/b Mr.Kaushal Thakkar for
the respondent no.1

**CORAM : K. K. TATED, J
DATE : MARCH 22, 2019**

P.C.:

. Heard the learned counsel for the parties.

2. By these Civil Applications, original

plaintiff is seeking injunction order against the Respondent original defendant from carrying out any addition/alteration and / or repairs and / or use of the existing old structure and or create any third party right, title and interest in respect of the same.

3. It is to be noted that in the present proceedings, original defendant filed this First Appeal challenging the judgment and decree dated 02.04.2008 passed by City Civil court. The defendant also preferred Civil Application in that First Appeal. That Civil Application stands rejected and made it clear that the execution of the conveyance will be subject to the final outcome of the Appeal. This itself shows that the other part of the decree was not stayed by this court.

4. Hence, alternate efficacious remedy is available to the Applicant for the relief claimed in the present Civil Applications. Therefore, both the Civil Applications stand rejected. No order as to costs.

(K.K.TATED, J.)