

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER (ST) NO.10374 OF 2018
WITH
CIVIL APPLICATION (ST) NO.10376 OF 2018
IN
APPEAL FROM ORDER (ST) NO.10374 OF 2018**

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. A.P. Vanarase I/b Satish Kamat for
appellant.

Mr. Vikas Y. Murudkar for respondent No.1.

**CORAM : K. K. TATED, J
DATE : MARCH 26, 2019**

P.C.:

. Heard learned Counsel for parties.

2. By this Appeal from Order, the
appellant/original defendant challenges the
order dated 23.03.2018 passed by Bombay
City Civil Court, Bombay in Notice of Motion
No.1415 of 2018 in S.C. Suit No.659 of 2018

restraining the appellant/original defendant from entering or disturbing the respondent/original plaintiffs' peaceful possession of the suit property at 1st floor, Manohar Bhuvan, Shimpoli Village, Borivali (W) Mumbai 400092.

3. Both the Counsel submit that the next date for hearing of the Notice of Motion is 10.06.2019. Both the Counsel submit that pleading is already completed.

4. In view of these facts, instead of deciding the present Appeal from Order on merits, in the interest of justice, the Bombay City Civil Court at Bombay is directed to decide Notice of Motion No.1415 of 2018 on 10.06.2019 on its own merits, but in any case on or before 21.06.2019 without influencing the earlier order passed by this Court.

5. At this stage, the learned Counsel appearing on behalf of plaintiff submits that till the hearing and final disposal of Notice of

Motion No.1415 of 2018, he will not create any third party right, title or interest in respect of suit property.

6. Appeal from order as well as Civil Application stands disposed of accordingly.

7. No order as to costs.

(K.K.TATED, J.)