

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****APPEAL FROM ORDER NO. 509 OF 2018****WITH****CIVIL APPLICATION NO. 674 OF 2018****IN****APPEAL FROM ORDER NO. 509 OF 2018**

Riddhi Apartment Co-operative
Housing Society Ltd.

.....Appellant.

Vs.

Adani Electricity Mumbai Ltd.& Ors.

.....Respondents.

Ms. Roma Bhende i/by S.P. Gautam for the Appellant.
None for the Respondents.

CORAM : A. S. GADKARI, J.

DATE : 18th NOVEMBER, 2019.

PC:-

By the impugned Order, the learned City Civil Court, Dindoshi has granted ad-interim relief in terms of prayer clause (a) in Notice of Motion No. 2272 of 2018. The said prayer clause (a) reads as under-

“a. That pending the hearing and final disposal of the present Suit, this Hon’ble Court be pleased to grant temporary injunction against the Defendant No.2, their managing committee member, members, agents, representatives etc. from restraining them from creating any obstruction or interference in any manner, to Plaintiffs and to Defendant no.1 for installing new electricity connection and new electricity meter to the suit property;”

2 The record further indicates that, the said Notice of Motion is still pending for final adjudication before the Trial Court. The electricity connection granted by Respondent No.1 in favor of Respondent No.2 cannot be disconnected at this stage, that too at the behest of the Appellant-Society who claims that, the Respondent No.2 is not their member. The membership of Respondent No.2 is yet to be decided by the concerned Authority.

3 In view thereof, this Court finds no need to interfere with the impugned Order.

Appeal being de hors of merits, is accordingly dismissed.

In view of dismissal of the Appeal itself, Civil Application No. 674 of 2018 does not survive and is also disposed off.

(A.S. GADKARI, J.)