

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
CIVIL REVISION APPLICATION NO. 163 OF 2019

Rajesh Valchand Shah (HUF)	]	Applicant
Vs.		
Jagran Entertainment Media Pvt. Ltd. & Ors.	]	Respondents

.....

Mr. R. Carvalho a/w Sriraj Menon a/w Ritesh Jain i/b M/s. MJ Juris,
Advocate for the Applicant.

.....

CORAM : R.G. KETKAR, J.

DATE : 28th JUNE, 2019.

P.C.

Heard Mr. Carvalho, learned Counsel for the applicant.

2. By this Application under section 115 of the Code of Civil Procedure, 1908 (for short 'C.P.C'), the applicant, hereinafter referred to as 'plaintiff' has challenged the judgment and order dated 3rd November, 2018 passed by the Appellate Bench of Court of Small Causes, (Bandra Branch), Mumbai passed in Misc. Appeal No.131 of 2018. By that order, the Appellate Court dismissed the appeal and confirmed the order dated 7th September, 2018 passed by the learned trial Judge below Exhibit 14 in Execution Application No.59 of 2018 arising from L.E. & C Suit No.117 of 2015. By that order, the learned trial Judge allowed the application made by the defendant and restrained the plaintiff or any other person claiming through them from parting with possession of the suit premises to any third party.

3. In view of proviso to section 115 of the C.P.C, leave to convert C.R.A into Writ Petition is granted. Amendment shall be carried out within one week from today. By a separate order W.P. is disposed of. Hence, Office to convert C.R.A into Writ Petition forthwith so that order disposing of W.P. can be uploaded. Order accordingly.

[R.G. KETKAR, J.]