

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**SECOND APPEAL (ST) NO. 683 OF 2019
ALONGWITH
CIVIL APPLICATION NO. 120 OF 2019
ALONGWITH
CIVIL APPLICATION NO. 119 OF 2019**

Irene Alexander Philips and
Ors.

.....Appellants

V/s.

Shivram Budhaji Kothavale
and Ors.

....Respondents

* * * *

Mr. G.S. Godbole i/by. Ms. Shivani Samel, Advocate for the
appellants.

None for the respondents.

CORAM : SANDEEP K. SHINDE, J.

Tuesday, 15th January, 2019.

P.C. :

1. Leave to amend the Appeal Memo and the Civil
Application, is granted. Amendment to be carried out
within fourteen days from today.

2. Heard learned Counsel for the appellant.

3. That against the decree passed by the Appellate Court
in Regular Civil Appeal No. 98 of 2013, the original

defendants no.1 to 8 have preferred this Appeal. The Appellate Court while confirming the injunction decree of the trial Court in respect of suit property no.1, being Survey No. 196 (old Survey No. 396) Hissa no.2) has also granted an injunction qua suit property old Survey No. 376 Hissa No.2. The learned Appellate Court, however, vide an order dated 17th November, 2018 directed the parties to maintain status-quo for a period of 60 days. This order of status-quo would come to an end tomorrow i.e. 16th January, 2019.

4. Thus in the interest of justice, the order of status-quo stands extended for a period of 30 days.

5. Issue notice to the respondents in the Appeal, as well as in the Civil Applications returnable on 22nd February, 2019.

6. The learned Counsel for the appellant, tenders two affidavits of service showing that notice was given and the proceedings were served to the contesting respondents. Both the Affidavits are taken on record and marked 'X-1' and 'X-2' for identification.

(SANDEEP K. SHINDE, J)