

**THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO
AND
THE HON'BLE SRI JUSTICE T. VINOD KUMAR**

C.M.A.NO.669 OF 2019

ORDER: (Per Hon'ble Sri Justice M.S. Ramachandra Rao)

This appeal is filed challenging the order dt.16.04.2009 in I.A. No.199 of 2018 in O.S. No.9 of 2018 of the VII Additional District Judge, Bodhan, allowing an application filed by the 1st respondent/plaintiff restraining the appellant as well as respondents 2 and 3 from alienating the petition schedule property to third parties by way of sale, gift, lease and mortgage or any other mode of transfer till the disposal of the suit.

2. The suit had been filed by the 1st respondent against the appellant for specific performance of an agreement of sale dt.13.03.2016. It is not in dispute that the 1st respondent had sold the suit schedule property to the 3rd respondent on 02.07.2018 prior to the filing of the suit on 21.07.2018.

3. In our considered opinion, if anybody is aggrieved by the interim order, it is the 3rd respondent and not the appellant, since the appellant ceased to be the owner of the suit schedule property from 02.07.2018. Therefore, we are of the opinion that the appellant is not having locus to maintain this appeal.

4. Accordingly, this appeal is dismissed. No costs.

5. Miscellaneous petitions pending, if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

T. VINOD KUMAR, J

Date: 09.09.2019

MRKR