

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****FIRST APPEAL (STAMP) NO.1769 OF 2020
WITH
INTERIM APPLICATION NO.1 OF 2020
IN
FIRST APPEAL (STAMP) NO.1769 OF 2020**

Manisha Adnani Nee Maya Chandriram Wadhwani ...Appellant

vs

Kavita Widow of Shanker Wadhwani And Ors. ...Respondents

.....

Mr. Ashok M. Saraogi, a/w. Mr. Anand Mistry and Mr. Khevana Dagli,
for the Appellant.

Ms. Suma Singh, a/w. Mr. H.N. Thakore, i/b. Dua Associates, for
Respondent Nos. 1 and 7.

.....

CORAM : S.C. GUPTE, J.

DATED: 26 FEBRUARY, 2020

P.C. :

. The first appeal challenges a decree of dismissal passed by the City Civil Court at Mumbai on 18 December 2019. The subject matter of the suit concerns 4/7th share in the suit flat claimed by the plaintiff. The suit was for partition and separate possession of this share. The first appeal raises several debatable issues and deserves to be considered at length. Hence, the appeal is admitted. The ad-interim protection, which the Appellant had during the pendency of the suit, was in respect of creation of third party rights. This relief deserves to be continued during the pendency of the first appeal. Accordingly, the interim application of the Appellant is allowed in terms of prayer clause

(a). The interim application is disposed of accordingly. Learned Counsel for the Appellant serves a compilation of documents relied upon by his client in the first appeal on the Respondents' counsel.

(S.C. GUPTE, J.)

Smita
Gonsalves

Digitally signed by
Smita Gonsalves
Date: 2020.03.02
17:19:58 +0530