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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.9 OF 2018
WITH
CIVIL APPLICATION NO.31 OF 2018

Laxman W. Patil & Anr. V/s. Mother Education Trust	...Appellants ...Respondent
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Mr.A.J. Almeida for the Appellants.

Mr.D.V. Sawant with Mr.Sushant B. Ghadage for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 3RD FEBRUARY, 2020.

P.C. :-

1. By a separate order passed by this Court, the first appeal filed by the appellants has been already admitted. By the said first appeal, the appellants have impugned the judgment and decree dated 19th June, 2017 directing the appellants (original defendants) in Suit No.7097 of 2005 to execute the registered sale deed in favour of the respondent trust (original plaintiff) in respect of the suit flat and dismissing the Suit No.3548 of 2010 filed by the applicants *inter-alia* praying for recovery of possession. The original plaintiff is already in possession of the suit flat. In view of the fact that the appeal is already admitted, the suit property which is the subject matter of the appeal is required to be protected.

2. The civil application is made absolute in terms of prayer

clause (b). Neither the applicants nor the respondent shall create third party rights in respect of the suit property during the pendency of the first appeal. Hearing of the first appeal is expedited.

(R.D. DHANUKA, J.)