

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.417 OF 2021
WITH
INTERIM APPLICATION NO.3253 OF 2021
IN
APPEAL FROM ORDER NO.417 OF 2021**

The Revd. Shailesh Deennis Lall & anr. ... Appellant
/Applicant

V/s.

Rt. Rev. Prakash Dinkar Patole & ors. ... Respondents

**WITH
APPEAL FROM ORDER NO.418 OF 2021
WITH
INTERIM APPLICATION NO.3254 OF 2021
IN
APPEAL FROM ORDER NO.418 OF 2021**

The MOST Revd. DR. Prem Chand Singh & anr. ... Appellant
/Applicant

V/s.

Rt. Rev. Prakash Dinkar Patole & ors. ... Respondents

Mr.Saket Mone a/w Mr. Abhishek Salian i/b. Vidhi Partners for the
Appellant in AO. No.417/2021 & IA No.3253 OF 2021.

Mr. Nikhil Sakhardande, senior advocate a/w Mr.Abhishek Salian i/b.
Vidhi Partners for the Appellant in AO. No.418/2021 & IA No.3254 OF
2021.

Mr. Atul Damle, senior advocate a/w Mr.Chaitnya Nikte for the
Respondents in AO. No.417/2021 & AO. No.418/2021.

Mr.Dhirendra Sinha for Respondent No.8 in AO. No.417/2021 & for
Respondent No.7 in AO. No.418/2021.

**CORAM : MADHAV JAMDAR, J.
(VACATION COURT)**

DATED : 12TH NOVEMBER, 2021

PC:-

1. By these Appeals From Order, the challenge is to Order dated 29th October, 2021 passed in Draft Notice of Motion in Suit No.2122 of 2021. The learned Judge, City Civil & Sessions Court, Greater Mumbai, directed the defendants, their servants, agents, representative, constituent, any person claiming through the defendants and acting pursuant to the impugned letter dated 22nd October, 2021, to temporarily restrain from taking any such action pursuant to the impugned letter dated 22nd October, 2021. The Order is in operation from 29th October, 2021 till today i.e. 12th November, 2021. The matter is moved before the Vacation Court by expressing apprehension that Respondent No.1 will wrongfully alienate the properties belonging to Church of North India for personal gains before the next date of hearing before the City Civil Court, Greater Mumbai i.e. 26th November, 2021.

2. Mr. Nikhil Sakhardane, the learned Senior Counsel appearing on behalf of the Appellant/Applicant submitted that appropriate interim orders are required.

3. Mr. Damle, the learned Senior Counsel appearing for Respondent No.1 makes a statement that Respondent No.1 will not alienate the properties belonging to the Church of North India till the disposal of the Notice of Motion. Mr. Damle, further, on instructions states that no major policy decision will be taken till the disposal of the Notice of Motion. Both the statements are accepted.

4. Respondent No.1 is directed not to alienate the properties belonging to the Church of North India and to take any policy decision including financial decisions except the regular day to day functioning of Bombay Dioceses Council till the disposal of Notice of Motion.

5. The next date of hearing before the the City Civil Court, Greater Mumbai, is 26th November, 2021. Parties to complete pleadings before the next date of hearing.

6. The learned Judge, City Civil Court, Greater Mumbai, is requested to dispose of Notice of Motion in Suit No.2122 of 2021 by 15th December, 2021.

6. Both Appeals From Order and all Interim Applications are disposed of in the aforesaid terms.

[MADHAV JAMDAR, J.]

MANJUSHA
DINKAR
PARAB

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DINKAR PARAB
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