

SGPunde

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 663 OF 2022
IN
SECOND APPEAL NO. 34 OF 2022

Vasant Govardhan Madhrole	... Applicant
<i>Versus</i>	
Balasaheb Maruti Londhe & Ors.	... Respondents

...
Mr. Shrikrishna S. Shinde – Advocate for applicant
Mr. S. S. Bora – Advocate for respondent nos. 1 to 4
....

CORAM : GAURI GODSE, J.
DATE : 02ND MARCH, 2023

PER COURT :

1. This application is for an order of injunction restraining the respondents from creating third party interest in the suit property.
2. Second Appeal is already admitted on the point of entitlement of the appellant for seeking performance of the agreement for sale executed in favour of the appellant. By order dated 02nd Mrch, 2022, there is an already order passed restraining the respondents from creating third party interest in the suit property.
3. In view of the facts and circumstances of the case and to avoid

multiplicity of proceedings, it is in the interest of justice to restrain respondents from creating third party interest in the suit property. Hence, during the pendency of the second appeal, there will be interim relief in terms of prayer clause 'B', which reads thus:

'B' - This Hon'ble High Court may be please to grant injunction restraining the respondents not to change the nature, not to transfer/alienate, not to create charge/incumbrance or not to create any kind of third-party interest in the suit property interest in the suit property i.e. Plot No. 2 situated at Savdei, Mohanbag on Sy. No. 137/1, C.T.S. No. 7592 admeasuring 250 sq.ft. Bounded by to East: Land of Sou. Navle, South: Road, West: plot No. 1 and North: Nana Maharaj Math till final disposal of the present Second Appeal.

4. Civil Application is disposed off.

[GAURI GODSE]
JUDGE