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

**INTERIM APPLICATION NO. 1637 OF 2022
IN
FIRST APPEAL NO. 266 OF 2022**

Sachin Nana Shinde and Ors.

....Applicants/Appellants

V/s.

Meghana Ashok Aru @ Meghana Pankaj
Yadav and Ors.

...Respondents

Mr. Shriram Kulkarni i/b Mr. Sachin Chavan for Applicants/Appellants.

Mr. Sarthak Diwan for Respondent Nos.1 and 3.

Mr. Anil Sakhare, Senior Advocate a/w Mr. Joel Carlos for Respondent
Nos.2, 2A and 2B.

**CORAM : K.R. SHRIRAM &
RAJESH S. PATIL, JJ.
DATED : 17th JANUARY 2023**

P.C. :

1. This appeal is impugning an order dated 11th October 2021 dismissing appellants' suit. The appeal has been admitted.

2. This Interim Application is for restraining respondent from alienating or selling or creating third party rights or developing the suit land. Mr. Sakhare for Respondent Nos.2, 2A and 2B who are in possession of the suit land states that those respondents had purchased the land for development and though they did not have any immediate plan of developing or alienating or selling the land, if they decide to do so they shall give atleast four weeks notice in writing about their decision to

appellant. In view of the statement made by Mr. Sakhare, Mr. Kulkarni states that he is not pressing for the Interim Application and seeks leave to withdraw the same with liberty to approach the court should the need arise.

3. Interim Application dismissed as withdrawn with liberty as prayed for.

4. Mr. Sakhare states that the issues involved are very narrow and particularly regarding interpretation of Clause No.21 of the Development Agreement and therefore appeal be listed for final hearing on 2nd March 2023. Mr. Sakhare states that there are other issues who agrees that the issue is narrow.

5. Before the next date English translation of documents in Marathi have to be filed. Registrar also to take compilation being filed by the parties.

(RAJESH S. PATIL, J.)

(K.R. SHRIRAM, J.)