

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

**INTERIM APPLICATION NO. 677 OF 2021
IN
SECOND APPEAL NO. 971 OF 2006**

Jivan Bhanudas Sarade and anr. Applicants
v/s.
Dagadabai Ramdas @ Krishna and ors. Respondents

Mr. Abhijit Kulkarni a/w. Adv. Krushna J. and Mr. Gourav
Shahane for the Appellants in SA.
Mr. Dilip Bodake for the Respondents.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 03rd NOVEMBER, 2023.

P. C. :-

ORDER IN INTERIM APPLICATION NO. 1761 OF 2020 :-

. Not on board. Upon being mentioned, taken on board.

2. The Applicants have sought restoration of the Second Appeal against Respondent Nos.5(b) to 5(d) which was dismissed for non-compliance of the conditional order.

3. Learned counsel for the Appellants states that steps will be taken to serve Respondent Nos.5(b) to 5(d) within a period of three weeks.

4. In the light of said statement and in view of the reasons stated in the application, the Appeal as against Respondent Nos.5(b) to 5(d) stands restored.

5. Interim Application stands disposed of.

ORDER IN INTERIM APPLICATION NO.677 OF 2021 :-

6. By this Application, the Respondents have sought interim relief against the Appellants apprehending that the Appellants are intending to create third party rights in respect of the suit property.

7. Mr. Abhijit Kulkarni, learned counsel for the Appellants, under instructions, states that the Appellants shall not alienate or create third party rights in respect of the suit property pending hearing of the Appeal.

8. In the light of said statement, Interim Application stands disposed of.

9. Appeal be listed on 11/12/2023.

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(SMT. ANUJA PRABHUDESSAI, J.)