

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2354 OF 2022
IN
WRIT PETITION NO.4084 OF 2021

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Dnyaneshwar Laxman Dongare
Since deceased through legal heirs
Dattatray Dnyaneshwar @ Dnyanesh
Dongare & Ors.

..Applicants

IN THE MATTER BETWEEN

Dnyaneshwar Laxman Dongare
Since deceased through legal heirs
Dattatray Dnyaneshwar @ Dnyanesh
Dongare & Ors.

..Petitioners

Versus

Sunanda Bhagwat Jadhav & Ors.

..Respondents

Mr. Uday B. Nighot, for for the Applicants/Petitioners.

Mr. Nikhil Wadikar a/w Faiza Shaikh & Malhar Pawar, for
Respondent Nos.1 & 4.

Mr. A. B. Kadam, AGP for Respondent Nos.5 to 7.

Mr. P. M. Khankar, for Respondent Nos.8 to 10.

CORAM : NITIN W. SAMBRE, J.

DATE : 2nd MARCH, 2023

PC.

1. By order dated 7th January, 2022, this Court has expedited the hearing of Civil Appeal No.6 of 2021 and this Court put an embargo on the right of the decree-holders from creating third party interest.

2. The present application is taken out on the basis that on 7th June, 2021, the decree-holders i.e. respondent Nos.1 and 4 have already created third party interest.

3. In this background, the application stands disposed of.

4. It shall be open for the applicants/petitioners to seek further injunction before the Appellate Court against the purchasers from respondent Nos.1 and 4, which prayer be decided having regard to the observations made in paragraph 2 of the said order dated 7th January, 2022.

[NITIN W. SAMBRE, J.]