

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

APPEAL FROM ORDER NO. 387 OF 2023

Vivek Vishnu Chavan ...Appellant

Versus

The State of Maharashtra through The
Secretary ...Respondent

WITH

APPEAL FROM ORDER NO. 391 OF 2023

Santosh Kashinath Chavan ...Appellant

Versus

The State of Maharashtra through The
Secretary ...Respondent

WITH

APPEAL FROM ORDER NO. 389 OF 2023

Mukund Pandurang Gubbi ...Appellant

Versus

The State of Maharashtra through The
Secretary ...Respondent

WITH

APPEAL FROM ORDER NO. 388 OF 2023

Kalpana Ravindra Sawant ...Appellant

Versus

The State of Maharashtra through The
Secretary ...Respondent

Mr. Shubham Shaikh, a/w A. A. Min, for the Appellant in all
Appeals.

Ms. Dhruti Kapadia, for Respondent Nos.2 & 3.

Mr. Akshay Patil, a/w Ish Jain, Kiran Jain, Duj Jain, Vinayak
Siraskar, Sagar Kothari, i/b Kiran Jain & Co., for
Respondent No.4.

Mr. N. B. Patil, AGP for the State.

CORAM: N. J. JAMADAR, J.

DATED : 8th JUNE, 2023

PC:-

1. Heard the learned Counsel for the appellant.
2. The challenge in these appeals are to an ad-interim order dated 4th February, 2023, whereby the learned Judge, City Civil Court, declined to grant ad-interim relief.
3. Perused the prayers in the Notice of Motion.
4. The appellant – plaintiffs sought to restrain the implementation of the notices dated 10th November, 2022 and 27th December, 2022 and the order dated 16th January, 2023, passed by Tahsildar 2, (Special Division) SRA, to evict plaintiffs without offering transit room and/or rent to the plaintiffs in lieu of the premises in their occupation situated at the suit site.
5. The learned Counsel for the plaintiffs urged that the names of the plaintiffs have not been included in Annexure-II, despite their longstanding possession of the suit premises.
6. The learned Counsel for respondent No.4 – defendant No.4 developer, on instructions, makes a statement that the developer is ready to give the transit rent to the plaintiffs and also render the necessary assistance in case the plaintiffs move the SRA for inclusion of their names in Annexure-II.

7. The statement made on behalf of respondent No.4 – defendant No.4 is recorded as the statement made to the Court.

8. In view of the aforesaid statement and the fact that the impugned order is an ad-interim order and the Notice of Motion yet awaits adjudication before the City Civil Court, there is no propriety in entertaining the appeal.

9. Hence, the appeals stand disposed.

[N. J. JAMADAR, J.]