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

***INTERIM APPLICATION NO. 17494 OF 2022
IN
FIRST APPEAL NO. 1008 OF 2022***

Ajit Vasantrao Ghag and Anr.

... Applicants

V/s.

Chandrashekhar Ramchandra Datir and Anr. ... Respondents

Mr. S.G. Deshmukh with Rajesh Kachare with Amol Mhatre and
Sonal Dabholkar for the Applicants

Mr. Surel Shah i/b. Viraj Shelatkar for the Respondents

***CORAM : NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.***

DATE : 01 DECEMBER 2023

P.C. :-

By a detailed order dated 6 October 2023, ad-interim order has been granted. The interim application could have been disposed of on that date. Nothing is shown why a different view be taken. The order dated 6 October 2023 shall continue as an interim order pending the Appeal. The reference in paragraph 3 in the order dated 6 October 2023 to clause (4) of the impugned judgment and order shall read as clause (5) of the impugned judgment and order as reference to clause (4) is incorrectly mentioned.

2. Interim Application is accordingly disposed of.

3. The learned Counsel for the Respondent states that liberty may be granted to seek modification of the interim relief if the third party restrains the Respondent from using the road. Our order dated 6 October 2023 has proceeded on a particular factual position as existing today, which is clear enough.

MANJUSHA DESHPANDE, J.

NITIN JAMDAR, J.

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