

Ghuge

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

**APPEAL FROM ORDER NO.1065 OF 2022
WITH
INTERIM APPLICATION NO.19978 OF 2022**

Akhil Bharatiya Maratha Mahasangh
and Ors. ... Appellants

V/s.

Rajendra Kondhare and Ors ... Respondents

Mr. Sanjay Jain a/w Ishwar Nankani a/w Taniya
D'zouza a/w Bhakti Jain for the appellants.

Mr. Sandip D. Shinde i/b Ergo Juris for respondents
Nos.4 and 5.

Mr. Chaitanya Shaarma i/b LJ Law for the respondents
No.13 and 14.

Mr. Shantanu Raktate a/w Mr. Amar Parsekar for the
respondent No.1 and 2.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 25, 2023

P.C.:

1. The appellant in this appeal is challenging the order dated 17th November, 2022 rejecting the ad-interim relief in Notice of Motion No.4223 of 2022. The relief prayed in Interim Application is as under :-

(a) pending the hearing and final disposal of the suit, this Hon'ble court be pleased to order and restrain Defendant Nos.1 to 8, their agents, representatives and any person through or under them from acting in

furtherance to the impugned notice dated 20th October 2022 (Exhibit J to the Complaint);

2. It is undisputed that the meeting in pursuance of impugned notice dated 20th October, 2022 is not held. Hence purpose of issuance of notice has come to an end.
3. In that view of the matter, nothing remains to be adjudicated in the Temporary Injunction Application. The questions raised by the appellant are academic in nature, and it is open for the appellant to raise all the questions in the appeal before the appropriate Court in appropriate proceedings.
4. The Appeal is, therefore, disposed of as infructuous.
5. The appropriate court shall decide grievance raised by the appellant in accordance with law uninfluenced by impugned order or any observation made in the present order.
6. As the appeal from order stands disposed, Interim Application does not survive.

(AMIT BORKAR, J.)