

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.4177 OF 2018
IN
FIRST APPEAL NO.2021 OF 2011**

Kesubhai Babubhai Patel	]	Applicant
Vs.		
Babubhai Merwanbhai Patel	]	
(since deceased) through Legal	]	
Heirs and Representatives;	]	
Zahil Babubhai Patel and others.	]	Respondents

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Mr. G.R. Agrawal a/w Mr. N. P. Boraste, for Applicant.

Mr. Bhavesh Parmar a/w Mr. Vivekanand Akshali and Reshma Nair
i/b Mr. Devmani Shukla, for all Respondents except Respondents
No.4A to 4C.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 28th March, 2023.

P.C.

1. Heard.

2. Division Bench of this Court (Coram: A.S. Oka & Revati
Mohite Dere, JJ.) vide an order dated 26th September, 2013 in Civil
Application No.4457 of 2011, passed the following order;

"1. Part of the suit property has been already sold by the respondents. Ad-interim relief granted on 4th July 2013 will have to continue in respect of the suit property which is not sold. The learned counsel for the applicant states that he will file a separate application for

impleading the purchasers as parties and for seeking appropriate interim relief against them.

2. Accordingly, we dispose of the application by directing that ad-interim relief granted on 4th July, 2013 in relation to that part of the suit property which is not sold will continue to operate till the final disposal of the appeal.

3. In the said order, the learned Counsel for the applicant was granted liberty to file a separate application for impleading the purchasers as parties and for seeking appropriate interim relief against them.

4. Learned Counsel for the applicant submits that he has already impleaded the purchasers as parties in appeal, and, as such, the order dated 26th September, 2013 by which ad-interim relief was granted and continued to be operated till final disposal of the appeal shall also be applicable to the purchasers.

5. In view of the aforesaid, the application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]