

Zeena Pathan

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

WRIT PETITION NO.2277 OF 2019

M/s Matoshree Engineers and
Developers, through Partner
Shirish Gunavant Savant,
through POA. U.G. More ... Petitioners.

V/s.

Shital Suresh Kulkarni ... Respondent

Ms. Netra Jagtap i/b Kadam & Company for the
petitioner.

Mr. Vishwesh Gadge i/b Mr. Chetan Patil for
respondent.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 12, 2024

P.C.:

1. The defendants are challenging an order passed by the Appellate Court restraining them from disturbing possession of plaintiff over the suit property. The impugned order is dated 15 June 2015. At least since 2015, there is no injunction in petitioners' favour. Hence, no interference is called for.

2. Hence, keeping all contentions raised by the petitioner open to be agitated before the Trial Court at the time of hearing of the suit, the writ petition stands disposed of.

3. The Trial Court shall decide the suit on its own merits uninfluenced by the observations made in the impugned orders.

(AMIT BORKAR, J.)