

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

WRIT PETITION NO. 10861 OF 2024

Pinak Dhiraj Gala and Ors.

... Petitioners

vs.

Mohammad Hashim Mohammad
Quddus Ansari

... Respondent

Mr. Vishal Kanade a/w. Mr. Siddharth Kakka, Ms. Tanaya Patenkar, Mr. Paras Gosar and Ms. Dipshika Delea :-	Advocates for Petitioners.
Mr. Atul Damle, Sr. Advocate i/b. Mr. R. D. Suryawanshi :-	Advocate for Respondent.

CORAM : S. M. MODAK, J.

DATE : 17th DECEMBER 2024

P. C. :-

1. Heard learned Advocate Mr. Kanade for petitioners/ defendants and learned Sr. Advocate Mr. Damle assisted by learned Advocate Mr. Suryawanshi for respondent/ plaintiff. There is decree for specific performance in favour of the respondent/ plaintiff.
2. In the meantime the defendants in a Suit filed by present respondents have sold the property and there are various transfers. In

the present petition the petitioners claimed to be the owner of the part of the original land. They are undertaken construction activity of a ware house. On this background Suit for simpliciter injunction is filed.

3. The trial Court enjoined defendants from carrying out the construction and from creating third party interest in any manner. This was confirmed by the appellate Court. That is why present Writ Petition.

4. Learned Advocate Mr. Kanade submitted that majority of the construction of the ware house is over and his client may be permitted to complete remaining construction. He has shown to me certain photographs. This is opposed by the learned Sr. Advocate Shri. Damle.

5. In the compilation filed by the petitioners the documents relied upon by both the parties before the trial Court are annexed. Let this petition be kept on 6th January 2025 for directions. To be listed 'High on Board'.

[S. M. MODAK, J.]

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