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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 865 OF 2024
WITH
INTERIM APPLICATION NO. 15287 OF 2024

The Equus Stud Prv Ltd.

...Appellant

Versus

Dharmil A Bodani And Others

...Respondents

Mr. J.P. Sen, Sr. Adv. a/w. Mr. Siddhanth Chhdoria i/b. Ms. Uma Wagle, for Appellant.

Mr. Ashish Kamat, Sr. Adv. a/w. Mr. Kunal Mehta, Ms. Aakansha Saxena & Ms. Jigisha Vadodaria i/b. Negandhi Shah & Himayatullah, for Respondent Nos. 1, 2 & 3.

CORAM : M.M. SATHAYE, J.

DATE : 10th DECEMBER, 2024

P.C. :

1. Mentioned out of turn.
2. Learned counsel for the Appellant submits that the matter needs to be taken urgently because, by the impugned order dated 10.10.2024, a temporary mandatory direction has been issued against the Appellant (Defendant No.1) to fill-up the dug-up portion of the suit road and to remove wall, construction and / or other fixtures where the width of the suit road which passes through lands owned by Defendant No. 1 is squeezed for less than 20 feet, within 15 days of the Order.

3. Learned counsel for Respondent Nos. 1 to 3 (Plaintiffs) submits that execution is already filed for implementation of the impugned Order.
4. Stand over to 07/01/2025.
5. The Respondents (Plaintiffs) are directed to give at least 48 hours notice to the Appellant, in case the execution proceedings are moved for further action. It is clarified that this Order will not preclude the Appellant from pressing ad-interim relief on the next date.

(M.M. SATHAYE, J.)