

*Shabnoor*

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

**WRIT PETITION NO.912 OF 2024**

SHABNOOR  
AYUB  
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| Vardhaman Mohanlal Khabiya & Ors. | ... Petitioners |
| <b>V/s.</b>                       |                 |
| Gulab Papabhai Hawaldar & Ors.    | ... Respondents |

Mr. Sudhir Sadavarte for petitioners.

Mr. Jaydeep Deo for respondents.

Ms. Dhruti Kapadia, AGP for State.

**CORAM : AMIT BORKAR, J.**

**DATED : JANUARY 22, 2025**

**P.C.:**

**1.** The petitioners filed a suit for seeking declaration that the measurement registration bearing No.15430/2022 be declared as illegal and, further injunction restraining defendant No. 6 from sanctioning the map in furtherance of the said measurement, and restraining defendant Nos.1 to 4 from construction over Sr. No.279 is also sought.

**2.** In the said suit, the petitioners filed an application for temporary injunction restraining defendant No.6 from sanctioning the map in furtherance measurement No.15430/2022. The injunction is further sought restraining defendant No.4 from constructing over Survey No.279.

3. In the said suit, the Trial Court passed following order:

*“ORDER*

*1] The appeal stands allowed.*

*2] The plaintiffs and the defendants are directed to maintain status-quo in respect of title, nature of the land till judgment in R.C.S.No.768/2023.*

*3] The Suit R.C.S.No.768/2023 be decided within six (6) months.*

*4] Costs into cause.”*

4. The learned Advocate for the petitioner submits that the petitioners’ property is not suit property.

5. It is, therefore, clarified that clause (2) of the order dated 9th November 2023 is restricted relating to the suit property. Only with this clarification, the writ petition stands disposed of.

**(AMIT BORKAR, J.)**