

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

**FIRST APPEAL NO.1129 OF 2025
WITH
INTERIM APPLICATION NO.10501 OF 2025**

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Aruna Chetan Bhatt and Ors.

...Appellants/Applicants

V/s.

I-20 Mahavir Nagar Co-operative
Housing Society Ltd. and Ors.

...Respondents

Mr.Chinoy Balsara a/w Mr.Milind S. Gyani and Ms.Jalpa Joshi:-	Advocates for Appellants/ Applicants.
Mr.Abhishek Sawant a/w Mr.Ameet Mehta, Mr.Jill Rathod, Mr.Hardit Gaglani, Mr.Nitik Jhunjhunwala i/b. Solicis Lex:-	Advocates for Respondent No.1.

CORAM : S. M. MODAK, J.

DATE : 22nd SEPTEMBER 2025

P. C. :-

1. Heard learned Advocate for the Appellants / Plaintiffs and learned Advocate for Respondent No.1 / Defendant No.1. The Respondent Nos.2 and 3 are the co-plaintiffs. Learned Advocate for the Appellants assures to seek their appearance through the learned Advocate.

2. The suit filed by the Appellants for declaration and other reliefs

came to be dismissed by the City Civil Court as per the judgment dated 16th December 2024.

3. Admit the Appeal.
4. Call Record and Proceeding.

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5. Pending hearing of the Appeal, the Appellants are seeking injunction against the contesting Respondent No.1 from creating third party rights in respect of the suit property. The pleadings are over. The submission on behalf of the Appellants is the initial 13 floors were constructed and the Respondent No.1 – Society is formed by those purchasers and the Appellants contend that the Society is carrying out the construction above 13 floors. Even the submission of Respondent No.1 that the Society is carrying out further construction.

6. Let both the parties go through their pleadings and address the Court on the next date about those pleadings vis-a-vis interim relief sought.

7. Matter be kept on **30th September 2025.**

[S. M. MODAK, J.]