

IN THE BOMBAY CITY CIVIL COURT AT MUMBAI

Order below Ex. 6

In

Short Cause Suit No. 406 of 2014

Kurla Malayalee Samajam

...Plaintiffs.

V/s.

M/s. S. Rajesh & Associates & Ors.

...Defendants.

Appearances:

Ld. Adv Mr. Bobde for the plaintiffs.

Ld. Adv. Mr. Sawant for defendant Nos.1, 3, 4 & 6

Ld. Adv. Mr. Holmagi for defendant Nos. 2 & 7.

Defendant No.5 in person.

**Coram : Shri D.K. Gudadhe, Ad-hoc Judge.
(C.R.No.4)**

Dated: 28th April, 2016

Order

1. This application is taken out by the plaintiffs for stay of the order passed in Notice of Motion No. 501/2014 today and for extension the earlier order of statusquo passed in the said motion.

2. It is the contention of the plaintiffs that the Notice of Motion No. 501/2014 has finally been disposed of today by way of dismissal. However, the plaintiffs want to prefer appeal against the said order. Therefore, said order be stayed and earlier order in the same Notice of Motion in respect of maintaining statusquo should be extended for six weeks.

3. Defendant No. 2 objected for extension of earlier order for six weeks. But it is pertinent to note here that the earlier order now culminate into the final order. Therefore, extension of the earlier order does not arise.

4. However, from the tenor of the application it is seen that, since the plaintiffs want to challenge the present order and such permission should be extended. In view of this position, I am of the opinion that as per provisions of Rule 5 of Order 41 of the CPC the final order on notice of motion can very well be kept in abeyance and earlier statusquo order can very well be extended for another four weeks. Accordingly the application is allowed in above terms.

(D.K. Gudadhe)

Ad-hoc Judge,

City Civil Court, Gr. Bombay.

28.04.2016

Dictated on : 28.04.2016
Transcribed on : 30.04..2016
Signed on : 07.05.2016

“I affirm that the contents of this PDF file Judgment/Order are the same, words to word as per the original Judgment/Order.”

Name of Steno : Mr. S.S.Bathe (Stenographer SG)

Name of Judge : HHJ Shri D.K. Gudadhe (C.R.No.04)

Date of Pronouncement
of Order : 28.04.2016

Order signed by : 07.05.2016
the P.O. On

Order uploaded on : 16.05.2016

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Ex.6