



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

**APPEAL FROM ORDER NO. 215 OF 2021
WITH
INTERIM APPLICATION NO. 2066 OF 2021
IN
APPEAL FROM ORDER NO. 215 OF 2021**

M/s. Empire Excellence Developers & Ors. Appellants
V/s.
Nandkishor Tukaram Bidkar & Ors Respondents

**WITH
APPEAL FROM ORDER NO. 6 OF 2022
WITH
INTERIM APPLICATION NO. 46 OF 2022
IN
APPEAL FROM ORDER NO. 6 OF 2022**

Nitin Satish Mittal Appellant
V/s.
Nandkishor Tukaram Bidkar & Ors Respondents

Mr. Tukaram S. Shendage for the Appellants.
Mr. Prasad S. Dani, Senior Advocate a/w. Mr. Shubham Jangam i/b. Mr.
Girish R. Agrwal for the Respondent Nos. 1 to 3, 5 & 6.
Mr. Hemal V. Ganatra (Through VC) for the Respondent No. 8
Mr. Ajay A. Joshi for the Respondent No. 12

CORAM : M. M. SATHAYE, J.

DATED : 27th NOVEMBER 2024

P.C.:

1. Heard learned Counsel for the Appellants and learned Counsel for the
Respondent Nos. 1, 2, 3, 5 & 6.



2. Learned Counsel for the Respondent No. 8 submits that he is seeking discharge from the matter. The Advocate for the Respondent No. 8 is at liberty to adopt appropriate steps contemplated under the Appellate Side Rules for seeking discharge.
3. The impugned order is dated 08/03/2021. By the impugned order present Appellants are restrained from the creating 3rd party interest and from obstructing or disturbing vacant and peaceful possession during the pendency of the suit.
4. Records shows that on 30/08/2021 this Court has directed the parties to maintain status quo and by order dated 08/02/2024, this Court has reiterated that the Appellants/Defendants shall be restrained from creating third party rights and/or parting with the possession of the suit property.
5. In such circumstances, Appellants are directed to take instructions about the present stage of the subject matter suit and inform the same to the Court on the next occasion
6. Stand over to **11/12/2024**.
7. Ad-interim relief recorded earlier will continue to operate during the pendency of the Appeal from Order.

(M. M. SATHAYE, J.)