

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 865 OF 2023

Shri. Vijay Vitthalrao Gaikwad

...Appellant

V/s.

Smt. Vimlabai Vitthalrao
Gaikwad and Ors.

..Respondent

Mr. Vilas B. Tapkir, for the Appellant.

CORAM : SANDEEP V. MARNE, J.

Dated : 26 October 2023.

P.C. :

1. Heard Mr. Tapkir, learned counsel for the Appellant.
2. According to Mr. Tapkir, initially order of *status-quo* was passed restraining only Defendant No.12 from creating third party rights in respect of the suit properties. He would submit that during pendency of the suit, Defendant Nos.1 to 11 have sold some of the suit properties to Defendant Nos. 13 to 21 and in favour of Defendant Nos.22 to 24 in the year 2018. He would submit that in the aforesaid manner, Defendant Nos.1 to 11 are attempting to frustrate the suit by repeatedly transferring the suit properties. In

that view of the matter, application at Exhibit-240 was filed seeking temporary injunction to restrain all the Defendants from obstructing Plaintiff's possession over the suit properties, as well as to restrain Defendants from creating any further third party rights.

3. Issue notice to the Respondents returnable on **21 December 2023**. In addition to court notice, Appellant to serve the Respondents by private notice and file Affidavit of service before the returnable date.

SANDEEP V. MARNE, J.