



Sharayu

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 425 OF 2015
IN
SUIT NO. 54 OF 2015

Mr. Mukund Y. Dixit & Ors.	...Applicants
<i>In the matter between</i>	
Mr. Mukund Y. Dixit & Ors.	...Plaintiffs
<i>Versus</i>	
M/s. Om Saahil Vinayak & Ors.	...Defendants

Mr. Kishore Tembe, Mr. Tejas Bhide, for the Plaintiffs.
Mr. Snehal Shah, a/w Mr. Atul Kshatriya, i/b M/s. Markand
Gandhi & Co., for the Defendants.

CORAM: G.S. PATEL, J
DATED: 23rd February 2015

PC:-

1. The dispute, on the face of it, is between tenants of certain premises and those who claim to be the owners of those very premises. In my view, every one of the reliefs sought in the present Motion is entirely beyond the jurisdiction of this Court. There can be no order of injunction relating to the Plaintiffs' possession, as is sought in prayer clause (c). Prayer clause (d) seeks an injunction restraining the Defendants from prosecuting certain eviction



actions filed in the Small Causes Court. No such injunction can possibly be granted. Prayer clause (a) seeks a restraint against the Defendants from holding themselves out as the owners of the suit property. How such a relief can be granted to somebody who is admittedly a tenant in respect of those very premises is entirely unclear.

2. In any case, in a Motion such as this, there is no possibility of any ad-interim relief in these terms. Ad-interim relief refused. Motion to come up in due course.

(G. S. PATEL, J.)