

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION (L) NO. 420 OF 2017

IN

SUIT (L) NO. 123 OF 2017

George Noble Ltd. ...Applicant

In the matter between

George Noble Ltd. ...Plaintiff

vs.

Mrs. Jaya Patel and others ...Defendants

Mr. Navroz Seervai, Senior Advocate, along with Mr. Ashish Kamat, Mr. Abhay Jadeja, Mr. Varun Satiya and Mr. Arun Unnikrishnan, instructed by M/s. Crawford Bayley & Co., for the Plaintiff/Applicant.

None for the Defendants.

CORAM: S.J. KATHAWALLA, J.
DATE: 22nd FEBRUARY, 2017

P.C.

The Learned Senior Advocate appearing for the Plaintiff/Applicant has tendered affidavits of service dated 22nd February, 2017. Perused the affidavits. None for the Defendants. Stand over to 27th February, 2017, at 3.00 p.m. In the meantime, ad-interim relief in terms of prayer clauses (a) and (b) is granted which read as under:

"(a) that pending the hearing and final disposal of the present

Suit this Hon'ble Court be pleased to issue an order and injunction restraining and prohibiting the Defendants their respective officers, servants and/or agents and any other person/s claiming through and/or under these Defendants from in any manner:

- (i) entering upon the suit property as more particularly described at Exhibit 'F' hereto and/or any part thereof; and*
 - (ii) alienating, selling, dealing with, transferring, creating any third party right, title and/or interest in the suit property being Flat Nos. 27 and 28, 24th Floor, Kanchunjunga Building, situated at 72, Peddar Road, Mumbai-400 026 as more particularly described at Exhibit 'F' hereto and/or any part thereof;*
- (b) that pending the hearing and final disposal of the present Suit this Hon'ble Court be pleased to restrain the Defendants and their respective officers, servants and/or agents by an order and injunction restraining them from in any manner interfering with the Plaintiff's use, occupation and/or possession of the Suit property being Flat Nos. 27 and 28, 24th floor, Kanchunjunga Building, situated at 72, Peddar Road, Mumbai-400 026 as more particularly described at Exhibit' F' hereto and/or any part thereof:"*

2. The Senior Inspectors of the local Police Stations, i.e. Gamdevi Police Station within whose jurisdiction Defendant Nos. 1 and 2 reside and

Dahisar Police Station within whose jurisdiction Defendant No. 3 resides, shall assist the representative of the Plaintiff and their Advocates in serving a copy of this order on the Defendants by hand delivery, to obtain their acknowledgements and submit their report to this Court on Monday, 27th February, 2017 at 11.00 a.m. A copy of this order shall be forthwith served on the Senior Inspector of Gamdevi Police Station as well as Dahisar Police Station.

All concerned to act on an ordinary copy of this order duly authenticated by the Associate of this Court.

(S.J. KATHAWALLA, J.)