

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

APPEAL FROM ORDER NO.78 OF 2015
WITH
CIVIL APPLICATION NO.92 OF 2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A. M. Saraogi for the Appellant
Mr. Vinod Mahadik for Municipal Corporation.

CORAM : K. K. TATED, J.
DATE : FEBRUARY 9, 2015

P.C.:

1. Mentioned. Not on board. At the request of learned counsel for the Appellant, the matter is taken on board for urgent orders.

2. By this appeal, the Appellant original Plaintiff challenges the order dated 29/12/2014 passed by the Bombay City Civil Court, Mumbai in draft Notice of Motion refusing to grant ad-interim relief on the ground that the Assistant Commissioner, G/North Ward already considered all the documents produced by the Appellant in respect of the suit structure in its order dated 17/12/2014.

3. The learned counsel for the Appellant submits that the Appellant procured some new documents to show that he is entitled an alternate accommodation as per the scheme framed by the Respondent Corporation. He seeks permission to withdraw the Appeal from Order with liberty to file an appropriate Application before the concerned Authority along with all documents to justify his case for an alternate accommodation. Liberty granted.

4. If such an Application is filed by the Appellant, same shall be considered by the Respondent within four weeks thereafter on its own merits, without being influenced by the earlier order dated 17/12/2014 passed by the Assistant Commissioner, G/North Ward. Appeal from Order stands dismissed as withdrawn.

5. In view thereof, the Civil Application does not survive. Same stands dismissed as infructuous.

JUDGE