

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.480 OF 2015
IN
APPEAL FROM ORDER ST. NO.28130 OF 2014

Anjuman Asheqan -E-Rasool
through its Vice President
Mr.Imtiyaz Shaikh

.. Applicant

-Versus-

Municipal Commissioner,
MCGM and Anr.

.. Respondents

Mr.Arshad S. Shaikh with Manoj M. Kadam i/b. Abdulbarri Ansari for
appellant
Mrs.Surekha Sonawane for Corporation.

CORAM : K.K.TATED, J.

DATE : 20th March 2015.

P.C.

1] Not on board. At the request of learned Advocate for the
applicants taken on board for urgent orders.

2] This application is preferred by the original plaintiff for
restoration of the Appeal From Order which was dismissed in view
of the conditional order dated 10th February 2015. The learned

Counsel for the applicant submits that as per the order dated 10th February 2015, they removed all office objections on 13th February 2015. This fact is stated by the applicant in para 2(e) of the civil application.

3] Considering the submissions made by the learned Counsel for the applicant and the averments made in the application, I am satisfied that the applicants have made out a case for allowing the application.

4] Accordingly, the civil application is allowed in terms of prayer clause (a), which reads thus:-

(A) “(a) The order dated 10th February 2015 whereby the appeal from order (st) No.28130 has been dismissed for non removal of office objections be recalled and the said appeal from order be restored on file along with Civil Application (St) No.28130 of 2014”

(B) Office is directed to verify whether the appellant has

removed all the office objections.

(C) Interim protection granted by this Court (Mrs.Mridula Bhatkar, J) on 17th November 2014 to continue till next date.

(D) Civil Application is disposed of accordingly.

(E) Appeal from order to be placed on board for admission on 28th April 2015.

(K.K.TATED, J.)