

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

**APPEAL FROM ORDER NO. 695 OF 2015
WITH
CIVIL APPLICATION NO. 850 OF 2015**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. Y. K. Tiwari for the appellant.

Mr. A. K. Nanadanwar for the respondent.

CORAM : K. K. TATED, J.

DATED : 25/06/2015.

P.C.:

. Heard learned Counsel for the parties.

2 Affidavit-in-Reply filed by the Corporation is taken on record.

3 The learned counsel for the appellant after taking instructions from his client, who is present in the Court makes a statement that they may be permitted to withdraw the present Appeal from Order with liberty to file appropriate application/reply before the Corporation in view of notice under Section 354-A of Mumbai Municipal Corporation Act, 1888 dated 05.12.2014. Same is permitted.

4 Hence, the following order.

a) Appeal from Order stands dismissed as withdrawn. No order as to costs.

b) Liberty granted to the appellant to file appropriate application/reply to the notice dated 05.12.2014 issued by the respondent corporation under Section 354-A of Mumbai Municipal Corporation Act, 1888 within two weeks from today.

c) If application/reply is filed within stipulated time as stated hereinabove, respondent corporation is directed to consider the same on its own merits and decided the same within six weeks thereafter in accordance with law and inform the order in writing to the appellant.

d) It is made clear that this Court has not granted any ad-interim relief in present Appeal from Order.

e) In view of disposal of Appeal from Order, nothing survives in the Civil Application. Hence, same is dismissed as infructuous.

(K.K.TATED, J.)