

3. Since the proceedings of the MPID Special Case have been terminated, the impugned order, which was an interim order passed in the said case obviously does not survive. Since the order impugned does not survive, the present appeal which challenges that order, also does not survive.

4. What is submitted before me by the learned counsel for the respondent No.2 is that there exists a dispute between the appellant and the respondent No.2 with respect to the premises in question i.e. Room No.38, 4th Floor, Ghaswalla Compound, S.B.Marg, Tardev, Mumbai that were attached under the impugned order. The appellant is said to be the owner and landlord of the premises and the respondent No.2 is said to be the tenant thereof. There are disputes pending between the appellant and the respondent No.2 as to the possession of the said premises and, in any case, as to the entitlement to possess the same. These disputes are said to be pending in the Court of Small Causes.

5. It is clear that these disputes shall not be affected by any order that would be passed in the present appeal. As a matter of fact, this proposition is not doubted or disputed by any of the learned counsel.

6. In view of the aforesaid discussion, it is clear that the appeal does not survive and stands disposed of.

(ABHAY M. THIPSAY J.)