

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

**APPEAL FROM ORDER (ST) NO. 32398 OF 2014
WITH
CIVIL APPLICATION NO. 38 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. U. V. Singh for the appellant.

Mrs. M. R. Bhoir for the respondent.

CORAM : K. K. TATED, J.

DATED : 30/04/2015.

P.C.:

. Heard learned Counsel for the parties.

2 This Appeal from Order is preferred by the plaintiff challenging the order dated 07.10.2014 passed by Bombay City Civil Court, Mumbai in Notice of Motion no. 2535 of 2012 decline to grant ad-interim relief in favour of plaintiff.

3 In L.C.Suit No. 2305 of 2012, the plaintiff preferred the Notice of Motion no. 2535 of 2012 for an order of injunction restraining respondent defendant from enforcing and/or acting upon notice under Section 354-A dated 16.07.2008 and order dated 29.11.2008 passed by the Designated Officer

i.e. Assistant Commissioner (M/East) Ward.

4 The learned counsel for the respondent corporation placed on record the photocopy of report dated 18.02.2015 in which the Designated Officer (M/East) ward stated that they already demolished the suit structure on 03.02.2015. Along with the said report, they placed on record photocopies of photographs.

5 It is clear from the report as well as photocopies of photographs that respondent corporation already acted on the notice dated 16.7.2008 under Section 354-A of M.M.C. Act.

6 In view of this fact, nothing survives in the present Appeal from Order. Hence, same is rejected.

7 In view of rejection of Appeal from Order, nothing survives in Civil Application. Hence, same is rejected as infructuous.

(K.K.TATED, J.)