

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

APPEAL FROM ORDER NO.589/2014
WITH
CIVIL APPLICATION NO.712/2014

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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Mrs. M. R. Bhoir for Municipal Corporation
Mr. J. S. Yadav i/b. B. S. Shukla for Respondent No.1.

CORAM : K. K. TATED, J.
DATE : JULY 15, 2015

P.C.:

1. Heard. This appeal is preferred by the Corporation challenging the order dated 13/02/2013 passed by the Bombay City Civil Court, Mumbai in Notice of Motion No.504/2013 in L.C.Suit No.5005/2012 restraining the Appellant Corporation from taking any action pursuant to the notice dated 08/11/2012 under section 351 of the Mumbai Municipal Corporation Act, 1888 and orders dated 24/11/2012 & 22/01/2013 passed by the Assistant Commissioner, "C" Ward.

2. The learned counsel for the Respondent Plaintiff placed on record a case status report generated on 14/07/2015 showing that the suit

itself stood dismissed for default on 08/10/2014. The said case status report is taken on record and marked "X" for identification.

3. In view of subsequent development, nothing survives in the Appeal from Order. Same stands dismissed as infructuous.

4. Liberty granted to the Appellant Corporation to prefer an appropriate Application for revival of the Appeal from Order, in case the suit is restored to file.

5. In view of the above, the Civil Application stands dismissed as infructuous.

JUDGE