

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO. 683 OF 2015
WITH
CIVIL APPLICATION NO. 837 OF 2015**

M/s. Bhavar Singh Umedsingh & Co. (Sweet Mart) .. Appellant
Vs.
Maharashtra Housing and Area Development
Authority and Ors. .. Respondents

None for the Appellant.

CORAM : G. S. KULKARNI, J.
DATE : 28th NOVEMBER, 2016.

P. C. :

1. The appeal is directed against the order dated 16.01.2015 by which the learned Trial Judge has rejected the ad interim reliefs in the Notice of Motion taken out on behalf of the appellant-plaintiff.
2. A perusal of this proceeding also indicates there was no ad interim protection which was granted by this Court. The orders, which are impugned in this appeal, are ad interim orders and the Notice of Motion itself is pending the hearing. It is appropriate that the appellant should pursue the pending Notice of Motion.
3. The Appeal from Order is disposed of permitting the appellant to approach the Trial Court with a request to take up the hearing of the Notice of Motion which shall be considered by the Trial Court on its own merit.
4. All the contentions of the parties on merits are kept open.

5. In view of the disposal of the Appeal from Order, Civil Application No. 837 of 2015 does not survive and stands disposed of.

[G. S. KULKARNI, J.]