

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER st. NO.6098 OF 2016
with
CIVIL APPLICATION ST. NO.6100 OF 2016

Erskine Rd. Null Bazar Masjid Trust ... Appellant

Vs.

Municipal Corporation of Greater Mumbai ... Respondent

Mr.Arshad Shaikh i/b A.B. Ansari for the Appellant
Ms.M.R. Bhoir for Respondent

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **29th FEBRUARY, 2016**

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. The Appeal from order is allowed to be withdrawn as it is not maintainable as the challenge to the interim order passed by the Small Causes Court under section 217 of the Mumbai Municipal Corporation Act is not appealable under Order 43 of the Code of Civil Procedure. Liberty to file appropriate proceedings before the High Court.
3. Appeal from order and the Civil Application are disposed of accordingly.

(MRIDULA BHATKAR, J.)