

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

**APPEAL FROM ORDER NO.708 OF 2015
along with
CIVIL APPLICATION NO.862 OF 2015
in
APPEAL FROM ORDER NO.708 OF 2015**

Dilip Rochiram Daryani .. Appellant/Applicant
Vs.

The Municipal Corporation of Gr. Mumbai .. Respondent

Mr.P.B.Shah i/by Mr.Kayval Shah for the appellant/applicant.
Mr. A.V.Diwate for the respondent-MMC.

CORAM : R.D. DHANUKA, J.
DATE : 11th January 2016

P.C.

. Learned counsel appearing for the appellant states that the learned trial judge has placed the notice of motion itself on board for hearing and final disposal on 28th January 2016. Learned counsel undertakes that his client will not apply for unnecessary adjournment.

2. Municipal Corporation is directed to file affidavit-in-reply before the learned trial Judge on or before 21st January 2016 and shall serve a copy thereof upon the appellant's advocate simultaneously. Rejoinder, if any, shall be filed on or before 25th January 2016.

3. Ad-interim protection granted by this Court to continue till 3rd February 2016. Learned trial Judge shall not grant unnecessary adjournment and shall dispose of the notice of motion expeditiously.

4. Appeal from order is disposed of in aforesaid terms. In view of the disposal of the appeal, civil application does not survive and is accordingly disposed of. No order as to costs.

R.D. DHANUKA, J.