

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Appeal from Order (ST) NO. 12711 OF 2016
with
Civil Application (st) No.12713 of 2016

Mr. Innamullah Mohd.Yusuf Kasam ...Appellant
Versus
Municipal Corporation Of Greter Mumbai ...Respondent

Mr. Jagdish N.Jayale, for the Appellant.

Mr.A.V.Awate, for the Respondent-BMC.

CORAM: G. S. KULKARNI, J.

DATED: 3rd May, 2016

PC:-

Not on board taken on board.

1. This matter is moved on a praecipe of the learned Counsel for the Appellant. The only submission which is made is that, this Court while disposing of this appeal by an order dated 28th April,2016 though permitted the Appellant to withdraw the draft Notice of Motion in L.C.Suit no.926 of 2016, however, liberty to take out a fresh Notice of Motion was not granted.

2. It is accordingly clarified that in view of withdrawal of draft Notice of Motion in L.C.Suit no.926 of 2016 as observed in the order dated 28th April,2016, the Appellant would be at liberty to file a fresh

Notice of Motion if so advised. The Praeipce is accordingly disposed of.

(G. S. KULKARNI,J.)