

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

**APPEAL FROM ORDER STAMP NO.14934 OF 2016
ALONG WITH
CIVIL APPLICATION STAMP NO.14975 OF 2016**

**Mrs. Minal Mohan Lokegaonkar : Appellant/Applicant.
Versus
The Municipal Corporation of Greater
Mumbia and anr. : Respondents.**

**Mr. J N Jayale for the Appellant/Applicant.
Mr. A V Diwate for the Respondents.**

**CORAM : R. M. SAVANT, J.
DATE : 14th June 2016**

P.C.

1 The order dated 22/04/2016 passed by the Trial Court i.e. the learned Judge of the City Civil Court at Dindoshi, Borivali Division, Mumbai refusing ad-interim relief in respect of Room Nos.2 and 6 is taken exception to by way of the above Appeal from Order.

2 The Trial Court has granted ad-interim relief by way of restraining the Municipal Corporation of Greater Mumbai (for short "MCGM) from taking action in respect of Room No.1 as described in the letter dated 20/-09/1994 i.e. Inspection Extract of Assessment Tax without following due process of law.

3 In so far as Room Nos.2 and 6 are concerned, the Trial Court has observed that on account of want of description of the suit property or

documents relating thereto, the Plaintiff was not entitled to the protective order in so far as the said Room Nos.2 and 6 are concerned.

4 In my view, having regard to the fact that the Trial Court on the basis of the Extract of Assessment in respect of Room No.1 deemed it appropriate to grant protection only restricted to Room No.1 and rejected the same in respect of Room Nos.2 and 6 on account of the fact that the description of the suit property was not proper as also no documents were produced in respect of the said rooms, no case for interference in the Appellate Jurisdiction of this Court is made out. The above Appeal from Order is accordingly dismissed. In view of the dismissal of the above Appeal from Order, Civil Application Stamp No.14975 of 2016 does not survive and the same to accordingly stand disposed of as such.

[R.M.SAVANT, J]