

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.174 OF 2015
WITH
CIVIL APPLICATION NO.224 OF 2015**

Municipal Corporation of Greater Mumbai

..Appellant

Vs.

Manohar Pandurang Koli

..Respondent

**Mrs. M. R. Bhoir i/b Mr. U. H. Deshpande for the Appellant /Applicant
Mr. B. P. Shukla i/b Mr. B. S. Shukla for the Respondent No.1**

CORAM : R. M. SAVANT, J.

DATE : 10th JUNE, 2016

P.C.

1 The Learned Counsel Mr. Shukla draws this Courts attention to the order dated 27-2-2015 passed by the Learned Judge of the City Civil Court (Shri R. K. Malabade). The said order discloses that the Suit has been decreed with costs and the impugned notice in the said Suit, issued under Section 354A and the impugned order dated 16-4-2013 are declared illegal, bad-in-law and not binding upon the Plaintiff. In view of the said supervening event of the Suit itself being decreed, the challenge to an interlocutory order passed in the Suit has turned infructuous. The Appeal From Order is accordingly disposed of as having turned infructuous.

2 The Order dated 27-2-2015 passed by the Trial Court is taken on record and marked "X" for identification.

3 In view of the disposal of the above Appeal From Order, the Civil Application No.224 of 2015 does not survive and to accordingly stand disposed of as such.

[R.M.SAVANT, J]