

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.953 OF 2015
WITH
CIVIL APPLICATION NO.1167 OF 2015
IN
APPEAL FROM ORDER NO.953 OF 2015

Bharadwaj Co-op Hsg. Society Ltd. Appellant
V/s.

Municipal Corporation of Greater Mumbai
and anr Respondents

Mr. Anand Mishra, I/by A.M. Saraogi, for the Appellant.
Mr. Rajiv Narula a/w Mr. Bhupesh Dhumatkar, I/by Jhangiani Narula and Associates, for respondent No.2.
Mrs.Madhuri More, for the Respondent No.1.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 24TH AUGUST, 2016.

P.C. :

1. Heard learned counsel for appellant and respondents.
2. Admit.
3. With the consent of the parties, the appeal is heard finally at the stage of admission as the issue involved is very short one.
4. Considering that the appeal is preferred against refusal of ad-interim relief, the Notice of Motion is yet pending in the trial Court, Reply is also filed. it is submitted by learned counsel for respondent that the Notice of Motion is ripe for hearing as reply is already filed therein. In such

situation it would serve the interest of justice, if both parties are directed to appear before the Trial Court and the Trial Court proceeds with the hearing of Notice of Motion, within a period of six weeks from today.

5. Accordingly both parties are directed to appear before the Trial Court on 1st September, 2016 and the trial Court to decide the Notice of Motion as expeditiously as possible and preferably within a period of six weeks from today.

6. In view of disposal of Appeal, Civil Application does not survive and the same is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]