

JPP

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

***APPEAL FROM ORDER NO. 630 OF 2014
with
CIVIL APPLICATION NO. 758 OF 2014
with
CIVIL APPLICATION NO. 1415 OF 2014***

Ajit Satyandra Pandey.

... Appellant.
(Orig.Plaintiff)

V/s.

The Municipal Commissioner of
Greater Mumbai and Ors.

... Respondents.

Mr. Glenn A. Lobo for the Appellant/Applicant.
Mr. A.V. Diwate for the Respondent - BMC.

CORAM : N.M. JAMDAR, J.

DATE : 31 MARCH, 2016.

P.C. :-

By order dated 8 June 2012, a Notice of Motion taken out by the Appellant was dismissed. This Appeal was filed on 3 August 2012. The Appeal has remained pending and it appears that it was not circulated for any urgent order. The Appeal was filed with delay and the delay was condoned on 17 June 2014 and when the Appeal came up on board on 28 July 2014, it was brought to the notice of the Court that the structure has already been demolished.

2. The learned Counsel for the Appellant sought to urge various contentions as regards alternate accommodation. However, these reliefs are not prayed for in the Notice of Motion which was dismissed. If the Appellant is desirous of seeking any further reliefs in the pending Suit, it is always open to the Appellant to take out appropriate Notice of Motion, which will be considered as per law.

3. This Appeal from Order need not be kept pending and is accordingly disposed of.

4. In view of the disposal of the Appeal from Order, both the Civil Applications do not survive and are disposed of.

(N.M. JAMDAR, J.)