

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (STAMP) NO.24453 OF 2016
ALONG WITH
CIVIL APPLICATION (STAMP) NO.24454 OF 2016

Abdul Khalik Shaikh Appellant
V/s.
Municipal Corporation for Greater Mumbai & Anr. Respondents

Mr. Anand A. Pande for the Appellant-Applicant.

Mrs. M.R. Bhoir for the Respondent-Municipal Corporation.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 1ST SEPTEMBER 2016.

P.C. :

1. Mentioned. Not on Board. Taken on Board in view of the praecipe.
2. This appeal being preferred against the refusal of the order of ad-interim relief by the City Civil Court, Mumbai, in the interest of justice, it requires that both the parties should appear before the Trial Court and agitate the Notice of Motion itself.
3. Learned counsel for the respondents-Municipal Corporation submits that she will file reply to the Notice of Motion within two weeks.

4. In view thereof, this appeal is disposed of with a direction to the Trial Court to hear both the parties on the Notice of motion and decide the same as expeditiously as possible.

5. The appeal is dismissed.

6. In view of dismissal of the appeal, civil application pending therein no more survives and the same is disposed of.

[DR. SHALINI PHANSALKAR-JOSHI, J.]