

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

Amk

APPEAL FROM ORDER (STAMP) NO. 25237 OF 2016

Mohan Mangal Solanki .. Appellant
Vs.
Municipal Corporation of Gr. Mumbai & Anr. .. Respondents

Mr. S. S. Dwivedi i/b S. S. Redekar for the Appellant.
Mrs. Madhuri More for the Respondent-BMC.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.
DATE : 26th SEPTEMBER, 2016.

P. C. :

1. Heard learned counsel for both the parties.
2. This appeal is preferred against the order dated 15.06.2016 passed by the City Civil Court, Mumbai thereby refusing ad interim relief.
3. It is an admitted position that the Notice of Motion is yet not decided and it is pending before the Trial Court.
4. In view thereof, this Court deems it fit and convenient to relegate the parties to the Trial Court itself for the hearing on the Notice of Motion.
5. Accordingly, the Appeal from Order is disposed of with a direction to both the parties to appear before the Trial Court so that the Trial Court can hear the Notice of Motion as early as possible.

[DR. SHALINI PHANSALKAR-JOSHI, J.]