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

WRIT PETITION (St.) NO. 28383 OF 2016

The Commissiosner,
Pune Municipal Corporation.

... Petitioner.

V/s.

Smt. Bharpaidevi Ramchandra Agarwal & Ors. ... Respondents.

Mr. Abhijit Kulkarni for the Petitioner.

CORAM : N.M. Jamdar, J.

14 October, 2016.

Oral Order :-

Not on board. Taken on production board by way of praecipe.

2. The learned Counsel for the Petitioner states that the order of status-quo has been granted on 21 March 2013 and the status-quo is continuing and the application for Exhibit 5 has not been finally decided. He submits that the grant of interim order is affecting public work and ought to be vacated. Since the order that is passed is an ad-interim order and the application for Exhibit 5 has been pending since last three years, it will be appropriate to give

liberty to the Petitioner to request the learned Civil Judge to take up the application below Exhibit 5 for arguments immediately or if that is not possible to consider the request for vacating the ad-interim order. If such application is made by the Petitioner, and considering the fact that the Petitioner is a public body, the learned Civil Judge will take up the application below Exhibit 5 for final disposal immediately or if that is not possible, will consider whether the continuation of the ad-interim relief is warranted, after hearing both the sides. The Petitioner will appear before the learned Civil Judge on 24 October 2016.

3. The Writ Petition is accordingly disposed of.

(N.M. Jamdar, J.)