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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO.1244 OF 2012

IN

APPEAL NO.266 OF 2012

Subhash Parasmal Baldia and Anr.

... Applicants

Versus

Harmit Suneet Chadha and Anr.

... Respondents

Dr. Birendra Saraf a/w Ms. Neeta Solanki i/by Kiran Jain and & Co. for the Applicants.

Mr. Rajiv Narula i/by Jhangiani, Narula & Associates for the Respondent Nos.1 and 2.

**CORAM : A.S. OKA &
A.A. SAYED, JJ.**

DATE : 11th JULY, 2016

P.C.

1 Heard the learned counsel appearing for the parties. Appeal is already admitted. Hence, ad-interim relief granted on 11th April, 2016 deserves to continue as interim relief. The learned counsel appearing for the first and second respondents submits that an incorrect representation is sought to be made by the appellants on the basis of ad-interim order passed by this Court before the Municipal Corporation and, therefore, the Municipal Corporation is not taking any action in respect of the remaining structure of the appellants.

2 Hence, we dispose of the notice of motion by passing the following order :-

ORDER

Ad-interim relief granted on 11th April, 2016 will continue to operate as interim relief till the disposal of the Appeal. We, however, make it clear that as the Municipal Corporation of Greater Mumbai is not a party to the Appeal, notwithstanding this interim order, it will be open for the Municipal Corporation to take action in accordance with law.

(A.A. SAYED, J)

(A.S. OKA, J)