

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.241 OF 2017

Chhedilal Ramnath Sharma .. Appellant

VS

The Municipal Corpn of Gr.Mumbai .. Respondent

Mr.Jitendra Damani for Appellant

Ms.Madhuri More for Respondent no.1/Corporation

Mr.A.P.Kulkarni for Respondent no.2

Mr.Abhijit Singh I.b Mr.Anil Mishra for Respondent no.3

CORAM : MRS.MRIDULA BHATKAR, J

DATE: 9 OCTOBER 2017

P.C.

1. This Appeal from order is directed against an order dated 23.11.2016 in draft Notice of motion in L.C.Suit No.2131 of 2016 by the learned Judge of the City Civil Court Dindoshi, Bombay.This pertains to the alternative premises given under SRA scheme.Ad interim relief is refused nearly one year back. The motion is not yet decided.

2. I am informed that the notice of motion is fixed on 23.11.2017. The respondent's counsel who are present are not in position to make the statement whether all the respondents

have filed affidavit-in- reply in the notice of motion.

3. In view of this, without going into the merits of the matter, the trial Court is directed to decide the Notice of motion itself.

4. Considering the submissions of both parties matter is fixed on or before 20.12.2017.

5. In view of this, the date of notice of motion is hereby pre-poned and the parties are directed to go before the trial Court and appear on 8.11.2017. The respondents shall file Affidavit-in Reply and copy is to be served on the Plaintiff.

Appeal from order is disposed of.

All concerned to act on an authenticated copy of the order.

(MRIDULA BHATKAR, J)

