

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 901 OF 2014
WITH
CIVIL APPLICATION NO. 1084 OF 2014**

Zahida A Hussain	...Appellant
<i>Versus</i>	
The Municipal Corporation Gr Mumbai	...Respondent

None for the Appellant.

**CORAM: G.S. PATEL, J
DATED: 10th July 2017**

PC:-

1. None present for the Appellant. By its order dated 9th January 2014 the learned Judge of the City Civil Court has dismissed the Plaintiffs' Notice of Motion. There is no ad-interim order in Appeal.

2. The learned Judge found that the Plaintiff sought protection against a notice issued regarding change of user of a car garage. The Defendant demonstrated that usage of the garage had been changed from parking into a religious activity, specifically a Sai Baba Mandir. The Plaintiff said that it was true that she had an idol of Sai Baba in

garage which she worshipped twice a day. This was not open to the general public.

3. The learned Judge found on merits before him that there was in fact a change of user.

4. There is no reason to interfere with the order under Appeal. The Appeal is dismissed. No costs.

5. The Civil Application does not survive and is disposed of as infructuous.

(G. S. PATEL, J.)