

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER No. 638 OF 2015
WITH
CIVIL APPLICATION No. 786 OF 2015 IN A.O. No. 638 OF 2015**

Rekha Pravin Nalavade ... Appellant/Applicant
Vs.
Mumbai Municipal Corporation & Ors. ... Respondents

Mr. Pradeep J. Thorat, Advocate for the appellant/applicant.
Mrs. Madhuri More, Advocate for the respondent/Corporation.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 27th November, 2017.

P.C.:

This Appeal from Order is directed against the order dated 17th April, 2015 passed by the learned Judge of the City Civil Court, Borivali Division, Dindoshi thereby dismissing the Notice of Motion No. 2798 of 2013. The appellant/plaintiff has filed the Suit against the notice dated 30th May, 2012 issued under section 314 of Mumbai Municipal Corporation Act.

2. The learned counsel for the appellant submitted that this pertains to construction of suit shop. He submitted that as per the status of the suit, now the suit is fixed for recording of evidence on 24th January, 2018.

3. In view of this submission, as the pleadings of the parties are over, the appellant to file affidavit-in-chief and the trial Court to expedite the matter within 9 months thereafter. The interim protection granted by the trial Court since 2013 to continue till the final disposal of the suit. The suit is to be concluded till 30th September, 2018.

4. Appeal from Order is disposed of. Civil Application is also accordingly disposed of.

(MRIDULA BHATKAR, J.)