

Mehul Natwarala Patel and Ors. ... Plaintiffs
versus
Municipal Corporation of
Greater Mumbai ... Defendant/Applicant

WITH
NOTICE OF MOTION NO.1716 OF 2015
IN
NOTICE OF MOTION NO.2020 OF 2012
IN
SUIT NO.1698 OF 2012

Ashraf Ali Abdul Shaikh and Ors.	...	Applicants
and		
Mehul Natwarala Patel and Ors.	...	Plaintiffs
versus		
Municipal Corporation of Greater Mumbai	...	Defendant

Mr. J. Carlos i/by Mr. S.A.Pilankar, for Applicant in NMS No.1716 of 2015.

CORAM: S.J. KATHAWALLA, J.

DATE: 7th SEPTEMBER, 2017

P.C.:

1. Heard the learned Advocates for the parties. The order dated 26-11-

2012 is recalled. Notice of Motion No.2020 of 2012 shall be heard by the regular Court. Parties are allowed to file further Affidavits in the said Notice of Motion. Parties are granted liberty to move the regular Court and seek an early date of hearing of the Notice of Motion. Pending further orders, the parties shall maintain status quo as of today in respect of the suit property. However, the Plaintiffs claim that they are in possession of the suit property, whereas, the Applicant in Notice of Motion No.1716 of 2015 states that they are in possession of the suit property. Be that as it may, the learned Senior Advocate for the Corporation states that they shall not dispossess any party found in possession of the suit land until further orders from this Court or without following due process of law. All contentions of the parties are kept open. Notices of Motion Nos.641 of 2013 and 1716 of 2015 are accordingly disposed of.

(S.J.KATHAWALLA, J.)