

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.19 OF 2015
WITH
CIVIL APPLICATION NO.22 OF 2015
IN
APPEAL FROM ORDER NO.19 OF 2015**

Mahadeo Dadoji Sawant and Ors. ...Appellants

Versus

M/s. Municipal Corporation of
Greater Mumbai ...Respondent

.....

Mrs. Madhuri More for the Respondent -BMC.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 23rd APRIL, 2018.

P.C.:-

The Appellant herein has challenged the order dated 12nd December, 2014 whereby the learned Judge, City Civil Court, Mumbai, dismissed the notice of motion.

2. The learned counsel for the Corporation submits that the suit has been dismissed for default on 7th January, 2017. She further submits that no restoration application has been filed.

3. In the light of above statement, the appeal has rendered infructuous and is accordingly dismissed.

4. In view of disposal of the Appeal from order, the Civil Application No.22 of 2015 does not survive and hence, stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)