

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

**APPEAL FROM ORDER NO. 146 OF 2016
WITH
CIVIL APPLICATION NO. 200 OF 2016**

Jayram Koraga Shetty ... Appellant
Versus
The Municipal Corporation of Greater Mumbai ... Respondent

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Mr. Vivek Agrawal, Advocate i/b Mr. Vinod Kumar Shukla,
Advocate for the Appellant.
Mrs. Madhuri More, Advocate for the Respondent-BMC.

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CORAM : A. S. CHANDURKAR, J.

DATE : 27th NOVEMBER, 2018.

P. C.:

1. The learned Counsel for the appellant states that the appellant is not responding to the communications made with him nor are necessary instructions being imparted.
2. In this appeal, the order dated 14th January, 2016 passed by the Trial Court refusing to grant ad-interim relief, is under challenge. The record indicates that on 28th January, 2016 this Court had directed the Municipal Corporation that not to take any coercive steps till the next date, which was 1st February, 2016. Thereafter, said interim relief has not been continued.

3. Considering the fact that the appeal arises from a challenge to an ad-interim order, this appeal is disposed of by directing the trial Court to decide the said Notice of Motion expeditiously on its own merits in accordance with law without being influenced by the interim order as passed.

4. The Appeal from Order is disposed of accordingly.

5. In view of disposal of the Appeal from Order, pending civil application does not survive and the same is also disposed of.

(A. S. CHANDURKAR, J.)