

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (STAMP) NO.10987 OF 2018
IN
FIRST APPEAL (STAMP) NO.21092 OF 2017

St. Domnic Education Trust, Malad, Mumbai	 Applicant
<i>In the matter between</i>	
St. Domnic Education Trust, Malad, Mumbai	 Appellant
<i>V/s.</i>	
The Municipal Corporation of Greater Mumbai.	 Respondent

Mr. Dharendra D. Singh for the Applicant-Appellant.

None for the Respondent.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 12TH JUNE, 2018.

P.C. :

1. Heard Mr. Singh, learned counsel for the Applicant-Appellant.

2. It is submitted by Mr. Singh, learned counsel for the Applicant-Appellant that, the First Appeal came to be dismissed for default for non-furnishing of the certified copy of the Judgment and Award and also one document. The certified copies of the Judgment and Award and the said document are now ready and the Applicant-Appellant will be submitting the same within one week.

3. In view thereof, the First Appeal (Stamp) No.21092 of 2017, along with Civil Application No.2319 of 2017, is restored to its original file, subject to condition that, the Applicant-Appellant will submit the aforesaid documents within one week from today.

4. The ad-interim relief, by way of stay to the execution of the 'Judgment and Decree', granted by the Trial Court, which is extended by this Court vide order dated 2nd August 2017 and which is continued from time to time till today, is extended till hearing of the First Appeal (Stamp) No.21092 of 2017, along with Civil Application No.2319 of 2017, for admission.

5. First Appeal (Stamp) No.21092 of 2017, along with Civil Application No.2319 of 2017, be placed for hearing as per C.M.I.S. date.

6. Civil Application is disposed off in the above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]