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

**APPEAL FROM ORDER NO.233 OF 2018
WITH
CIVIL APPLICATION NO.305 OF 2018**

Vadilal Kunwarji Gada ... Appellant

V/s.

Municipal Corporation of Greater
Mumbai, ... Respondent

Ms. Kavita Dhanuka i/by Jitendra J. Shah, for the
appellant.

Mrs. Madhuri More, for respondent corporation.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 11th OCTOBER, 2018.

P.C. :

1] Heard learned counsel for the appellant and respondent.

2] Despite repeated opportunities given to appellant to
remove the office objections, they are not removed. Learned counsel
for appellant is again seeking time to remove the office objections.

3] In view thereof, the order of ad-interim relief cannot be
extended.

4] Moreover it is seen that this appeal is against refusal of
the order of ad-interim relief, by the trial Court, therefore, it is clear

that in the trial Court, the Notice of Motion is pending, hence it would be proper for this Court to direct the trial Court to decide the Notice of Motion itself.

5] Accordingly Appeal stands off as dismissed.

6] In view of dismissal of Appeal itself, Civil Application pending therein no survives and the same is accordingly disposed off.

[DR.SHALINI PHANSALKAR-JOSHI, J.]