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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
APPEAL FROM ORDER NO.752 OF 2014  
WITH  
CIVIL APPLICATION NO.916 OF 2014  
IN  
APPEAL FROM ORDER NO.752 OF 2014**

Mauli Sai Developers Pvt. Ltd  
and anr

... Appellant

V/s.

The Municipal Corporation of  
Greater Mumbai and ors

... Respondents

Ms. Tanaya Barwal i/by M. P. Vashi Associates, for the  
appellant.

Mr. Simil Purohit a/w Mr. Krishna B. Moorthy and  
Mr.Ishaan Savla i/by Wadia Gandhi & Co., for  
respondent Nos. 5 to 8.

Mrs. Madhuri More, for respondent corporation.

**CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.**

**DATE : 25<sup>th</sup> SEPTEMBER, 2018.**

**P.C. :**

1] Heard learned counsel for the appellant and respondents.

2] This appeal is of the year 2014, against the rejection of the Notice of Motion. Even after filing of this Appeal, no interim relief was granted. As a result thereof, it is submitted by learned counsel for respondent that the construction of the building is complete. The Occupation Certificate is also issued. Moreover, since last 2 to 3 dates, learned counsel for the appellant is seeking adjournment and today also again adjournment is sought.

3] In the facts of present case, there is no need of adjourning the matter, hence the Appeal stands dismissed for default. Otherwise also the appeal becomes infructuous especially considering that the Notice of Motion from which the appeal was arising is already disposed off by the trial Court.

4] In view of dismissal of Appeal, pending Civil Application therein becomes infructuous and the same is disposed off accordingly.

**[DR.SHALINI PHANSALKAR-JOSHI, J.]**