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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 : 25th 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.]