

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

**CIVIL APPLICATION NO. 1264 OF 2018
IN
FIRST APPEAL NO. 1546 OF 2010**

The Municipal Corporation of Greater Bombay	...	Applicant
V/s. Ganga Timmappa & Anr.	...	Respondents

**WITH
CIVIL APPLICATION NO. 1265 OF 2018
IN
FIRST APPEAL NO. 1547 OF 2010
WITH
CIVIL APPLICATION NO. 1266 OF 2018
IN
FIRST APPEAL NO. 1548 OF 2010
WITH
CIVIL APPLICATION NO. 1267 OF 2018
IN
FIRST APPEAL NO. 1549 OF 2010
WITH
CIVIL APPLICATION NO. 1268 OF 2018
IN
FIRST APPEAL NO. 1550 OF 2010
WITH
CIVIL APPLICATION NO. 1269 OF 2018
IN
FIRST APPEAL NO. 1551 OF 2010
WITH
CIVIL APPLICATION NO. 1270 OF 2018
IN
FIRST APPEAL NO. 1552 OF 2010
WITH
CIVIL APPLICATION NO. 1271 OF 2018
IN
FIRST APPEAL NO. 1553 OF 2010**

WITH
CIVIL APPLICATION NO. 1272 OF 2018
IN
FIRST APPEAL NO. 1554 OF 2010
WITH
CIVIL APPLICATION NO. 1273 OF 2018
IN
FIRST APPEAL NO. 1555 OF 2010
WITH
CIVIL APPLICATION NO. 1274 OF 2018
IN
FIRST APPEAL NO. 1556 OF 2010
WITH
CIVIL APPLICATION NO. 1275 OF 2018
IN
FIRST APPEAL NO. 1557 OF 2010
WITH
CIVIL APPLICATION NO. 1276 OF 2018
IN
FIRST APPEAL NO. 1558 OF 2010
WITH
CIVIL APPLICATION NO. 1277 OF 2018
IN
FIRST APPEAL NO. 1559 OF 2010
WITH
CIVIL APPLICATION NO. 1278 OF 2018
IN
FIRST APPEAL NO. 1560 OF 2010
WITH
CIVIL APPLICATION NO. 1279 OF 2018
IN
FIRST APPEAL NO. 1561 OF 2010
WITH
CIVIL APPLICATION NO. 1292 OF 2018
IN
FIRST APPEAL NO. 1562 OF 2010

- Mr.N.V. Walawalkar, Senior Advocate a/w. Ms.M.R. Bhoir for the Applicant.
- Ms.Megha S. Bajoria i/b. Mr.Kuldeep S. Patil for Respondent No.2.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 8th JUNE, 2018.

P.C. :

1] All these 17 Civil Applications are filed for condonation of delay of 44 days in taking out the present application for restoration against Respondent No.1.

2] It is submitted that the notice of this application could not be served by regular mode on Respondent No.1, as the structure is demolished and Respondent No.1 has re-shifted his residence and therefore, the permission is sought to serve the notice by way of substituted service by publication thereof in one English as well as one Marathi newspaper namely "Free Press Journal" and "Navshakti" or such other papers as this Court deem fit.

3] Considering the ground made of non service of Respondent No.1 by regular mode, these Applications are allowed in terms of prayer Clause (b) for service of notice on Respondent No.1 by publication in the local newspapers having circulation in the area of Mumbai.

4] Accordingly, the order of ad-interim relief, which is granted by this Court on 2nd April, 2018 and which was continued till

11th June, 2018 is directed to be continued till 16th August, 2018, in view of the issuance of the notice to Respondent No.1.

5] It is clarified that the matter is adjourned for return of the notice to 7th August, 2018 and the order of ad-interim relief, granted earlier, is extended till 16th August, 2018.

6] Stand over to 7th August, 2018.

[DR.SHALINI PHANSALKAR-JOSHI, J.]