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

**APPEAL FROM ORDER NO.602 OF 2018
WITH
CIVIL APPLICATION NO.791 OF 2018
IN
APPEAL FROM ORDER NO.602 OF 2018**

Suresh Govind Joshi ... Appellant.
V/s.
Municipal Corporation of Greater
Mumbai and ors ... Respondents

Mr.Ravi Punjabi, for the appellant.
Mrs.Madhuri More, for respondent corporation.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 25th SEPTEMBER, 2018.

P.C. :

1] Learned counsel for the appellant, fairly concedes that the trial Court, rejected the order of ad-interim relief on 22.4.2015. However, his main contention is that the trial Court has made certain observations which may affect on the decision of the Notice of Motion which is still pending. He has fairly conceded that let the trial Court decide the Notice of Motion which is still pending before it without being influenced by any of the observations made in its impugned order.

2] Accordingly the appeal is disposed off with direction to

the trial Court to decide the Notice of Motion as expeditiously as possible without being influenced by any of the observations made in the impugned order.

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

[DR.SHALINI PHANSALKAR-JOSHI, J.]