

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

**APPEAL FROM ORDER NO. 877 OF 2015
WITH
CIVIL APPLICATION NO. 1072 OF 2015
IN
APPEAL FROM ORDER NO. 877 OF 2015**

Albert Joseph Lobo & Anr.Appellants/Applicants
V/s.
The Municipal Corp. of Greater
Mumbai & Anr.Respondents

Mr. Nigel Quraishy for the appellants.
Mrs. M.R. Bhoir for the respondents/MCGM.

**CORAM : V.M. DESHPANDE, J.
DATED : 26th JUNE, 2018.**

P.C.:

. Heard Mr. Nigel Quraishy, learned counsel for the appellants and
Mrs. M.R. Bhoir, learned counsel for the respondents.

2. The present appeal is carried against the refusal of the ad-interim
order passed by the Ad-hoc Civil Judge, City Civil & Sessions Court,
Borivali Division, Dindoshi, Mumbai on 07th May, 2015 in Long Cause
Suit No.1244 of 2015 pending the notice of motion before the said
Court.

3. This Court (Coram : K.K. Tated, J.) on 02nd July, 2015 has directed the parties to maintain status quo as of the said day. The learned counsel for the appellants submits that his Notice of Motion is still pending before the Court below. In that view of the matter, I pass the following order :-

(i) The Appeal is disposed of by the maintaining the order dated 07th May, 2015.

(ii) The learned Civil Judge, City Civil & Sessions Court, Borivali Division, Dindoshi, Mumbai shall decide the Notice of Motion pending before it in Long Cause Suit No.1244 of 2015 within a period of twelve weeks from today by giving an appropriate opportunity to the parties to the said application and after hearing them. Till that time, the order passed by this Court (Coram : K.K. Tated, J.) on 02nd July, 2015 directing the parties to maintain status quo to remain in operation. It is made clear that the appellant shall not make any repair, modification, alteration or any construction to the suit structure.

(iii) All pending Civil Applications are disposed of.

(V.M. DESHPANDE, J.)