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

**APPEAL FROM ORDER (ST) NO.17686 OF 2018
WITH
CIVIL APPLICATION (ST) NO.17689 OF 2018
IN
APPEAL FROM ORDER (ST) NO.17686 OF 2018**

Municipal Corporation of
Greater Mumbai ... Appellant.
V/s.
Govindbhai Laxman Padaya
and ors ... Respondents

Mrs. Madhuri More, for appellant corporation.
Mr. Sanjeev Sawant a/w Mr. Abhishek P. Deshmukh,
for respondents

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 20th AUGUST, 2018.

P.C. :

1] Heard learned counsel for the applicant and learned
counsel for respondent.

2] By this Appeal from Order, an exception is taken to the
order of ad-interim relief granted by the City Civil Court, Mumbai vide
its order dated 15.7.2015.

3] Considering that by the said order, the order of ad-interim
relief is granted pending the Notice of Motion filed in L.C.Suit No.1528
of 2015, the interest of justice requires that the trial Court be directed

to decide the said Notice of Motion itself, instead of this Court going into the merits of the matter.

4] In view thereof, Appeal From Order stands dismissed.

5] However, the trial Court is directed to decide the Notice of Motion as expeditiously as possible and in any case within a period of 8 weeks from today.

6] The parties to act on the authenticated copy of this order.

7] In view of dismissal of Appeal From Order, pending Civil Application(ST) No.17689 of 2018 is disposed off accordingly.

[DR.SHALINI PHANSALKAR-JOSHI, J.]