

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

APPEAL FROM ORDER NO.1026 OF 2014

Mitesh T. Kapasi

... Appellant

Vs.

Municipal Corporation of Greater Mumbai & Ors. ... Respondents

None for the Appellant

Mrs.Madhuri More for Respondent Nos.1 and 2

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: JANUARY 22, 2018

P.C. :

1. This appeal is filed against the order dated 1.9.2014 passed by the City Civil Court, Greater Bombay, thereby refusing the ad-interim relief in draft Notice of Motion in L.C. Suit No.2419 of 2014. The suit was filed for temporary injunction to restrain the Corporation from demolishing the structure for which the notice dated 7.9.2013 under section 53(3)(1) of the Maharashtra Regional Town Planning Act was issued.

2. On a perusal of the record, it shows that no interim relief was granted in the present Appeal from Order. None appears of the appellant. In view of this, the Appeal is dismissed in default. The

trial Court to proceed with the Notice of Motion if not decided or to proceed with the Suit.

3. Appeal from Order is disposed of accordingly.

(MRIDULA BHATKAR, J.)