

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

**APPEAL FROM ORDER NO. 763 OF 2015
WITH
CIVIL APPLICATION NO. 1521 OF 2015**

Vijay Paranjape & Anr.	...	Appellants
V/s.		
The Executive Engineer & Ors.	...	Respondents

- Mr.Sharad K. Bhosle for the Appellants.
- Mr.A.R. Patil, AGP for the Respondent-State.
- Mr.Anil R. Mishra for Respondent No.7.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 3rd OCTOBER, 2018.

P.C. :

1] This Appeal is preferred against the order dated 2nd February, 2015, passed by the City Civil Court, Mumbai, thereby refusing the ad-interim relief in terms of the prayer clause (a) of the Notice of Motion No.503 of 2015 filed in SC Suit No.213 of 2015.

2] The said Notice of Motion was taken out by the Appellants restraining the Respondents from demolishing the suit premises situated on the plot bearing CTS No.469A at village Chembur (Beggars' Home), Opposite Jain Temple, R.C. Marg, Chembur, Mumbai.

3] It is pointed out that the suit premises in respect of which the ad-interim relief was sought are already demolished. In view thereof, against the demolition of the suit premises, the ad-interim relief which is refused cannot be granted in the Appeal against the said order. Moreover, it is seen that the Appellants had already made an application to the State Government for allotment of the premises for running the Beggars' Home. Learned AGP, Mr.Patil, submits that the said application will be considered and processed as per law.

4] Therefore, as the Appeal has become infructuous, stands disposed off.

5] In view of disposal of the Appeal, nothing survives in the Civil Application, hence stands disposed off.

[DR.SHALINI PHANSALKAR-JOSHI, J.]