

VKS

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

**APPEAL FROM ORDER (ST) NO.29504 OF 2016**  
**WITH**  
**CIVIL APPLICATION (ST) NO.29505 OF 2016**

Chakshupal w/o Laxman Badge ..... Appellant  
V/s.  
Mumbai Municipal Corporation  
and ors ..... Respondents

none for the Appellant

Mrs. Madhuri More, for the Respondent corporation.

**CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.**

**DATE : 22<sup>nd</sup> OCTOBER, 2018.**

**P.C. :**

1] This Appeal from Order is preferred against the rejection of the Notice of Motion No.3153 of 2016 in S.C. Suit No.1892 of 2016, by order dated 17.09.2016, passed by Ad-hoc Judge, City Civil Court, Greater Bombay.

2] During the pendency of this appeal, no interim relief is granted by this Court.

3] None present for the appellant. On 26.10.2016, appellant stated that he wants to get the building inspected through his own Structural Engineer and hence the matter was adjourned to 21.11.2016.

Since then, no-one has appeared in the matter. In the absence of appellant, as otherwise also the suit is pending before the trial Court, appeal stands dismissed for default.

4] In view of dismissal of Appeal from Order, pending Civil Application therein no more survives and the same is disposed off accordingly.

**[DR. SHALINI PHANSALKAR-JOSHI, J.]**