

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

**APPEAL FROM ORDER NO. 1239 OF 2015
WITH
CIVIL APPLICATION NO. 1566 OF 2015**

Dawood Hassan Shaikh V/s. The Municipal Corporation of Greater Mumbai & Anr.	...	Appellant Respondents
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- Mr.G.C. Singh a/w. Mr.Atul Singh i/b. Ms.Shweta I. Singh for the Appellant.
- Mrs.Madhuri More for Respondent No.1-MCGM.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 11th SEPTEMBER, 2018.

P.C. :

1] Heard learned counsel for the Appellant and learned counsel for Respondent No.1-MCGM.

2] This Appeal is preferred against the dismissal of the Notice of Motion No.2635 of 2011 filed in L.C. Suit No. 1679 of 2011. The relevant order is passed on 03/11/2015. At the time of 'admission' of the Appeal, the order of ad-interim relief was granted and the same is in force till the date.

3] It is submitted by learned counsel for the Appellant that the hearing of the suit is at the stage of completion viz. Evidence of

Plaintiff is over and the evidence of only one witness to be examined on behalf of the Defendant is remaining.

4] In view thereof, this Appeal has become infructuous as such. Therefore, the Appeal is disposed of with continuation of the order of ad-interim relief, which is granted at the time of admission of the Appeal, till the decision of the suit.

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

[DR.SHALINI PHANSALKAR-JOSHI, J.]