

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

**APPEAL FROM ORDER (STAMP) NO.31987 OF 2017
WITH
CIVIL APPLICATION (STAMP) NO.31989 OF 2017
IN
APPEAL FROM ORDER (STAMP) NO.31987 OF 2017**

Jawahar Pesumal Bhatia	..Appellant
vs.	
Municipal Corporation of Greater Mumbai	...Respondent

Mr.Pradeep J. Thorat for the Appellant .
Mr.Anil Mehta a/w Ms. Madhuri More i/b Mr. A. P. Stenson for the Respondent.

**CORAM : V. M. DESHPANDE, J.
DATE : 18th JUNE, 2018**

P.C.:

. Not on board. Taken on board.

2. Heard learned counsel for the appellant and learned counsel for the respondent. This appeal arises out of refusal of ad-interim order by learned Civil Judge, City Civil Court, Dindoshi on 9/11/2017 in L.C. Suit No.2569/2017. Shri Thorat, learned counsel for the appellant submits that the Notice of Motion is fixed for hearing on 5/7/2018 by the learned Judge of the City Civil Court, Dindoshi. He submits that the Corporation has not filed reply to the said Notice of Motion.

3. The appeal itself can be disposed of by directing the Corporation to file its reply before the learned Trial Court within a period of 2 weeks from today without fail. If reply as aforesaid is filed, the learned Trial Court shall hear and decide the matter within a period of 4 weeks from the date of filing of the reply by the Corporation.

4. All parties assure that they will co-operate the lower Court for early disposal of the application.

5. Till the decision of the Notice of Motion before the Trial Court, the ad-interim order dated 17/11/2017 granted by this Court which extend the protection granted by the Trial Court to continue.

6. In that view of the matter, appeal is disposed of with no order as to costs. Civil Application is also disposed of.

(V. M. DESHPANDE, J)