

*Sarnobat*

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

**APPEAL FROM ORDER NO.97 OF 2018  
ALONGWITH  
CIVIL APPLICATION NO. 130 OF 2018  
ALONGWITH  
CIVIL APPLICATION NO. 131 OF 2018**

|                                                     |                  |
|-----------------------------------------------------|------------------|
| Lata Mamania.                                       | ... Appellant.   |
| Vs.                                                 |                  |
| Municipal Corporation of Greater Bombay<br>and Anr. | ... Respondents. |

Mr. Yakshay Chheda, for the Appellant in AO-97/18 & CAA-130/2018  
and for Respondents in CAA-131/18.  
Mrs. Madhuri More, for the Respondent in AO-97/18 and CAA-130/18.  
Mr. Atul Damale, Sr. Advocate I/by Mr. Anil R. Mishra for Applicant/  
Intervenor in CAA-131/2018.

**CORAM : V. M. DESHPANDE, J.**

**DATE : 12<sup>th</sup> JULY, 2018.**

**P. C. :**

1. Heard learned counsel for the appellant in extenso. The appeal is against the order dated 28<sup>th</sup> November, 2017 in L.C. Suit No. 3175 of 2017. By the said impugned order pending Notice of Motion, the Court below has refused ad-interim relief.
2. After hearing the learned counsel for the appellant extensively, when the Court expressed his opinion that Court is dismissing his appeal, on that point of time the counsel for appellant

obtained instructions from the appellant who is personally present in the Court and submits that in that event, he shall withdraw the present appeal. Permission granted. Appeal is dismissed as withdrawn without interfering the order dated 28<sup>th</sup> November, 2017.

3. However, since Notice of Motion is still pending before the Trial Court, it is expected from the learned Judge of the Trial Court to decide the said Notice of Motion as expeditiously as possible within a period of eight weeks from today. All Civil Applications are disposed of.

**CIVIL APPLICATION NO. 131 OF 2018**

4. No orders are necessary on this Civil Application filed by the Society for intervention, as the Chamber Summons is pending for the same purpose.

**[ V. M. DESHPANDE,J.]**