

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

WRIT PETITION NO.2602 OF 2019

Mahendra Chandrakant Mhatre .. Petitioner

V/s.

The Municipal Corporation of Greater
Mumbai and Ors. .. Respondents

Mr.Anthony J.B.Braganza for the petitioner

Mrs.Sheetal Mane for the B.M.C.

CORAM: K.K. TATED, J
DATED : MARCH 6, 2019

P.C. :

1 Heard.

2 By this petition under Article 227 of the Constitution of India, the Petitioner challenges the order dated 25.10.2018 passed by court below on Exhibit-14 holding that court is going to hear the Notice of Motion No.2154 of 2010 first and thereafter contempt motion preferred by the Petitioner.

3 When this court declined to entertain the present Writ Petition, the learned counsel for the Petitioner submits that this court be pleased to direct the court below to decide Notice of

Motion No.2154 of 2010 within particular time.

4 Considering these facts and at the request of the learned counsel for the Respondent, who wants some time to file additional affidavit, following order is passed:

- a. Hearing of Notice of Motion No.2154 of 2010 in Special Civil Suit No. 1755 of 2010 is expedited.
- b. Liberty granted to the Respondent Corporation to file their additional Affidavit-in-Reply if any on or before 29.03.2019 with copy to other side.
- c. Rejoinder/additional rejoinder by the Petitioner be filed on or before 12.04.2019 with copy to other side.
- d. Trial Court to decide Notice of Motion No.2154 of 2010 as early as possible but in any case on or before 29.06.2019.
- e. Writ Petition stands disposed of accordingly.

(K.K. TATED, J.)