

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

APPEAL FROM ORDER NO.547 OF 2016

WITH

CIVIL APPLICATION NO.235 OF 2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms.Oorja Dhond for the appellant

Mr.Rajesh S. Parab for the respondent nos.1A and 2

**CORAM : K. K. TATED, J
DATE : MARCH 27, 2019**

P.C.:

. Heard.

2 By this Appeal from Order appellant original defendant is challenging the order dated 11.11.2014 passed by Bombay City Civil Court at Bombay in Notice of Motion No.3691 of 2014 in L.C.Suit No.1530 of 2012 permitting Respondent original plaintiff to reconstruct the suit premises of the same size and type which was in existence before its demolition.

3 The learned counsel for the Respondent plaintiff submits that during the pendency of the present Appeal from Order, they already reconstructed the suit premises. He further submits that the said reconstruction is subject to outcome of the suit. Therefore, nothing survives in the present Appeal from Order.

4 In view of subsequent development that re-construction is already completed by Respondent original plaintiff and that also subject to final outcome of the suit, nothing survives in the Appeal from Order. Hence, Appeal from Order as well as Civil Application stands dismissed as infructuous.

5 No order as to costs.

(K.K.TATED, J.)