

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Appeal from Order (ST) No.10537/2019
with
Civil Application (ST) No. 10538/2019

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mr. R. R. Varma for the Appellant Mrs. Madhuri More for the Municipal Corporation Mr. Kakade, Asstt. Engineer, Maintenance Department, "A" Ward – present.	

CORAM : K.K.TATED, J.
DATED : MAY 3, 2019

P.C.

Heard. By this Appeal from Order, the Appellant – Plaintiff challenges the order dated 13.03.2019 passed by the Bombay City Civil Court in Notice of Motion No.2697/2018 in Suit No.72/2007 dismissing the said Notice of Motion.

2 On 11.04.2019, during the course of arguments, the learned counsel for the Appellant had submitted that the Appellant has made an Application dated 29.06.2011 to the Respondent Corporation seeking permission to draw the water from the

municipal well situated on the footpath out and by the side of the gate of Azad Maidan Police Station, Mahapalika Marg, Mumbai – 400038. He submits that the said Application is pending for decision of the Respondent Corporation. Hence, by order dated 11.04.2019, this court had directed the advocate for the Respondent to take instructions as to within how much time, they will decide the said Application.

3 Today the learned counsel for the Municipal Corporation, on instructions from their officer who is present in court, makes a statement that they will decide the said Application on or before 31.05.2019 and communicate the decision to the advocate for the Appellant or the Appellant. The statement is accepted.

4 In view of this statement, the Appeal from Order and the Civil Application stand disposed of with following directions:

a. The Respondent Corporation to decide the Application dated 29.06.2011 (Exhibit-F, page 38 to the Appeal from Order) on merits as early as possible but in any case on or before 31.05.2019 and communicate

the decision to the advocate for the Appellant or the Appellant, in writing.

b. No order as to costs.

(K.K.TATED, J.)