

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

**CIVIL APPLICATION NO. 1173 OF 2016
IN
FIRST APPEAL (ST) NO. 13510 OF 2015**

Municipal Corporation of Greater
Bombay & Another

.... Applicants/Appellants

Versus

Abdul Qayyum Qareshi

.... Respondent.

Ms. Shital Mane-Tadke for the Applicants/Appellants.
Adv. Pradeep J. Thorat a/w. Adv. Aditi Naikare for the Respondent.

CORAM : K. K. TATED, J.

DATE : 18th SEPTEMBER, 2019

P.C.

Heard learned counsel for the parties.

2. By this Civil Application, appellant Municipal Corporation is seeking stay to the operation and implementation of the impugned judgment and decree dated 23rd August, 2014, passed by City Civil Court at Dindoshi, Bombay in L.C. Suit No.2809 of 2009.

3. Learned counsel appearing on behalf of the respondent submits that, in view of subsequent development, nothing survived in the present Civil Application. He submits that, respondent has already reconstructed the structure of suit premises as directed by the impugned judgment and decree and also started his business. He

submits that these facts are stated by the respondent in his affidavit-in-reply dated 8th June, 2015 in Civil Application No.1172 of 2016 for condonation of delay.

4. Considering submissions made by both parties and the contention in affidavit of reply dated 8th June, 2015, nothing survives in this Civil Application. Hence, same stands disposed of. No order as to costs.

[K. K. TATED, J.]