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

**APPEAL FROM ORDER (STAMP) NO. 22108 OF 2018
WITH
CIVIL APPLICATION (STAMP) NO. 22109 OF 2018
IN
APPEAL FROM ORDER (STAMP) NO. 22108 OF 2018
WITH
CIVIL APPLICATION (STAMP) NO. 22110 OF 2018
IN
APPEAL FROM ORDER (STAMP) NO. 22108 OF 2018**

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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Mr. Vishal Kanade I/b Manmohan Rao for the Appellants.
Ms. Oorja Dhond for Respondent No.1.

CORAM : K. K. TATED, J.
DATE : 20th MARCH, 2019.

P. C. :

1. Heard learned Counsel for the parties.
2. Learned Counsel for the Appellants submits that during the pendency of Appeal from Order, they filed application dated 15.03.2019 through their Advocate Shri Manmohan Rao to the Assistant Commissioner, H/West Ward, Bandra (W), Mumbai – 400 050 for considering the case on merits. Application dated 15.03.2019 is taken on record and marked 'X' for identification. He submits that authority be directed to decide their application on its own merits. He submits that with

this direction matters may be disposed off.

3. In view of this fact, nothing survives in the Appeal from Order.

Hence, the following order:

ORDER

- (i) The Respondent No.3-Assistant Commissioner, H/West Ward, Bandra (W), Mumbai and/or Competent Authority on behalf of the Corporation to decide the Appellants' application dated 15.03.2019 on its own merits after giving them personal hearing within six weeks from today.
- (ii) The Respondent to inform the Appellants' Advocate Shri Manmohan Rao having his address at 14, Rajabhadur Mansion, 2nd Floor, Chamber No.23, Ambalal Doshi Marg, Opp. Bombay Stock Exchange, Fort, Mumbai – 400 001 about the date, time and place of hearing in advance.
- (iii) The Respondent to decide the said application and communicate the decision to the Advocate on record immediately thereafter.
- (iv) All contentions of the parties are kept open.
- (v) Appeal from Order as well as Civil Applications stand disposed of accordingly.
- (vi) No order as to costs.
- (vii) Parties to act on authenticated copy of this order.

[K. K. TATED, J.]