

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

CIVIL APPLICATION NO. 3072 OF 2019

IN

FIRST APPEAL NO. 3 OF 2009

WITH

FIRST APPEAL NO. 3 OF 2009

Nitin Tukaram Gawankar ...Applicant

Versus

The Municipal Corporation Of Greater ...Respondents
Bombay.

Mr. A. A. Siddiquie i/b Mrs. A. A. Siddiquie & Associated –
Advocate for the applicant.

Ms. Sheetal Mane Tadke – Advocate for the respondent.

CORAM : R. D. DHANUKA, J.

DATE : 18th DECEMBER 2019.

P.C. :

1. The learned counsel for the applicant (original appellant) states that if the respondents considers the representation made by the applicant for the purpose of permanent alternate accommodation, his client will withdraw the first appeal as well as the Civil Application.

2. The learned counsel for the respondents states that the application/representation made by the applicant is not traceable in the record of the respondents. If any such

application is filed alongwith documents with the respondents in accordance with law, then it would be considered in accordance with law.

3. The applicant is directed file a fresh representation before the designated officer within one week from today alongwith all relevant documents, for seeking alternate accommodation. The statement is accepted. The learned counsel for the Municipal Corporation states that if such representation is presented, the same would be considered on its own merits within eight weeks from the date of receipt of such representation, in accordance with law. Statement is accepted. The copy of the order shall be served upon the applicant within two weeks from the date of such order. In view of the aforesaid order, the learned counsel for the applicant seeks liberty to withdraw first appeal no. 3 of 2009 alongwith Civil Application No. 3072 of 2019.

4. The appeal as well as Civil Application stand disposed of on aforesaid terms. No order as to costs.

[R. D. DHANUKA, J.]