

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER (STAMP) NO.25659 OF 2019
WITH
INTERIM APPLICATION NO.01 OF 2019**

Rajendra Harishchandra HatimAppellant

Vs.

The Municipal Corporation of Greater MumbaiRespondent

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Mr. B.P. Shukla, for the Appellant.

Ms. Madhuri More, for the Respondent-MCGM.

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CORAM : S.C.GUPTE, J.

DATE : 23 SEPTEMBER, 2019

P.C. :

1. Heard the learned counsel for the parties.
2. This appeal from order challenges an order passed by the City Civil Court at Dindoshi on a Notice of Motion taken out by the Appellant (original plaintiff). By the impugned order, the Appellant's Notice of Motion was dismissed by the Court.
3. After the matter is heard at some length, learned counsel for the Appellant seeks leave to withdraw the appeal from order. Learned counsel, however, requests the Court to expedite the hearing of the

suit itself. Learned counsel for the respondent-corporation has no objection to expedite the hearing of the suit. The appeal from order is accordingly dismissed as withdrawn. The City Civil Court at Dindoshi is requested to dispose of the L.C.Suit No.1349 of 2015 expeditiously.

4. In view of the disposal of the appeal from order, the interim order does not survive and the same is disposed of.

(S.C. GUPTE, J.)