

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

First Appeal No.1228/2019

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Ms. Shital Mane for the Applicant Mr. J. S. Yadav I/b. B. S. Shukla for Respondent No.1.

CORAM: K.K.TATED, J.
DATED : SEPTEMBER 19, 2019

P.C.

1 Heard. By this First Appeal, the Municipal Corporation challenges the judgment and decree dated 13.11.2014 passed by the Bombay City Civil Court at Mumbai in L.C.Suit No.1136/2011 holding that the notice dated 11.11.2010 issued by them u/s.351 of the Mumbai Municipal Corporation Act, 1888 and order dated 30.05.2011 in respect of the suit premises as illegal and bad in law. The Trial Court has also restrained the Appellant from demolishing the suit structure i.e. structure admeasuring 20 x 60 made of B.M. wall and A.C.sheet roof situated at Sy.No.950 (pt), New Link Rload, Dahisar, Mumbai -400068 pursuant to the said notice and order.

2 Considering the submissions made by the learned counsel for the Appellant and the impugned judgment and order, following order is passed:

a. **Admit.**

b. The Appellant is directed to file paper book within a period of one year from today with copy to other side failing which the First Appeal shall stand dismissed without further reference to the court.

c. Printing dispensed with.

d. Office to call R & P immediately.

e. Advocate Mr.J.S.Yadav waives service for Respondent no.1.

(K.K.TATED, J.)