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

APPEAL FROM ORDER NO. 895 OF 2019

WITH

CAA NO. 1067 OF 2019

Mr. Avinash Bhaskar Sawant

..Appellant

Vs

Municipal Corporation for Greater Mumbai

..Respondents

Mr. G.S. Godbole i/b Mr. V.T. Dubey for Appellant.

Mr. Santosh Parad for Respondent/MCGM.

CORAM : A.S.GADKARI, J.

DATE : 31st January 2020.

P.C.:

1] By the impugned Order dated 11.3.2019 passed in draft Notice of Motion in Suit No.606 of 2019, the Trial Court rejected prayer of the appellant to grant ad-interim relief in said Notice of Motion.

2] The record indicates that, by an Order dated 29.3.2019 passed by this Court, the parties are directed to maintain status-quo as of 29.3.2019.

3] Mr. Godbole, the learned counsel for the appellant submitted that, as has been observed by the Trial Court in Order dated 11.3.2019, the suit structure is partly demolished by the Municipal Corporation and as per Order passed by this Court dated 29.3.2019, the parties herein are directed to maintain status quo. He submitted that, the said draft Notice of Motion is now numbered as 499 of 2020 and is ripe for hearing.

4] In view thereof, till the said Notice of Motion No.499 of 2020 is decided by the Trial Court, ad-interim relief granted by this Court by its Order dated 29.3.2019 shall continue. The learned Judge of the Trial Court seized of Notice of Motion No.499 of 2020 in Suit No.606 of 2019 is requested to expedite the hearing of the said Notice of Motion and conclude hearing of the same within a period of four months from the date of receipt of this Order.

5] Appeal is partly allowed in the aforesaid terms.

6] In view of disposal of appeal, Civil Application does not survive and the same is accordingly disposed off .

All the concerned to act on authenticated copy of this Order.

(A.S.GADKARI, J.)