

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 516 OF 2015

WITH

CIVIL APPLICATION NO. 654 OF 2015

IN

APPEAL FROM ORDER NO. 516 OF 2015

Municipal Corporation of Greater Mumbai

...Appellant

Vs.

Sita Venkappa Shetty

...Respondents

Smt. Madhuri More i/b Smt. U.H. Deshpande, Advocate for the Appellant.
Mr. Shrishail Sakhare, Advocate for the Respondent.

CORAM : A.S. GADKARI, J.

DATE : 5th MARCH, 2020.

PC. :

. The Appellant/Corporation has impugned order dated 24th February, 2015, granting interim relief in favour of the Respondent/Original Plaintiff.

By a well reasoned order dated 15th February, 2017, this Court had directed the Appellant/Corporation to remove the suit structure from its present location, so that the development of the proposed road, proceeds with unhindered.

2. Learned counsel for the appellant submitted that, after the order dated 15th February, 2017 passed by this Court, the suit structure has been removed and the said order has already been implemented.

She further, on instructions, submitted that, the suit filed by the respondent is now scheduled for framing of issues on 24th January, 2020.

3. In view thereof, the appeal needs to be allowed and is accordingly allowed.

In view of disposal of Appeal itself, Civil Application No. 654 of 2015 does not survive and is also disposed off.

[A.S. GADKARI, J.]