

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (STAMP) NO. 24771 OF 2019

WITH

CIVIL APPLICATION (STAMP) NO. 24772 OF 2019

IN

APPEAL FROM ORDER (STAMP) NO. 24771 OF 2019

Mr. Abdul Rashid Mohammed
Yusuf

.....Appellant.

Vs.

Municipal Corporation of
Greater Mumbai.

.....Respondents.

Mr. Sushil Upadhyay i/by A.M. Saraogi for the Appellant.
Smt. Eventa Gonsolves for the Intervenor.
Smt. Madhuri More for the Respondent-MCGM.

CORAM : A. S. GADKARI, J.

DATE : 13th JANUARY, 2020.

P.C.:-

The present Appeal under Order 43 of the Code of Civil Procedure (for short, “CPC”) is filed against the Order dated 19th August, 2019, adjourning the Suit filed by the Appellant.

2 The present Appeal under Order 43 itself is not maintainable in view of the fact that, there is no Order impugned herein as contemplated under Order 43 Rule 1 of the CPC.

3 The present Appeal is misconceived and accordingly dismissed

in limine.

In view of dismissal of Appeal from Order itself, Civil Application (Stamp) No. 24772 of 2019 does not survive and is also disposed off.

(A.S. GADKARI, J.)