

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.300 OF 2022
ALONG WITH
INTERIM APPLICATION NO.2181 OF 2022

Ashok Sohanlal Jain] ... Appellant

Vs.

Municipal Corporation of Greater]
Mumbai.] ... Respondent

...

Mr. Waibhav Sagdave i/b Mr. Om Prakash Singh for the appellant.

Mr. Santosh Parad for the respondent-MCGM.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 05TH APRIL, 2022.

P.C. :-

1. The present appeal is filed, assailing rejection of the notice of motion taken out in the L.C. Suit No.1565 of 2021, seeking relief of temporary injunction restraining the defendants from demolishing/removal of the said premises being Gala Nos.6, 7, 8 and 9, described as suit property in respect of which the notice

was issued by the Corporation.

2. The learned counsel for the Corporation states that the said structures are already demolished and the statement to that effect was made before the Division Bench of this court in Writ Petition No.2706 of 2021 on 17/03/2022.

3. In the wake of the aforesaid statement, which is not disputed by the learned counsel for the appellant, nothing survives in this appeal for adjudication. As far as the other reliefs, which the appellant has sought by way of interim application filed in the present appeal, liberty is granted to the appellant to seek the said reliefs before the trial court. The appeal is dismissed.

4. In view of the dismissal of the appeal, the interim application does not survive and is disposed off, as such.

[SMT. BHARATI DANGRE, J.]