

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

FIRST APPEAL NO. 2080 OF 2007

The Municipal Corporation of
City of Thane
v/s.

.. Appellant

M/s. Nirmal Enterprises

.. Respondent

Mr. N. r. Bubna, for appellant.

...
**CORAM : K. R. SHRIRAM &
KAMAL KHATA, JJ.**
DATED : 24TH NOVEMBER, 2022.

P.C. :

1. Mr. Bubna states that in an identical matter being First Appeal No. 2211 of 2005, this Court, by judgment pronounced on 22nd December 2017, partly allowed the First Appeal that appellant herein had filed.

2. Mr. Bubna further states that appellant carried that judgment in appeal to the Apex Court by way of Special Leave Petition and that Special Leave Petition has been dismissed. As such Mr. Bubna in fairness states that the findings of this Court in judgment pronounced on 22nd December 2017 in First Appeal No.2211 of 2005, squarely applies to the facts of this appeal as well.

3. Order accordingly. Appeal disposed.

(KAMAL KHATA, J.)

(K.R. SHRIRAM, J.)