

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

***CONTEMPT PETITION NO.343 OF 2021
WITH
APPEAL FROM ORDER NO.322 OF 2021
WITH
INTERIM APPLICATION NO.2777 OF 2021***

State Bank of India

...Petitioner

Vs

The Commissioner,
M.C.G.M.

... Respondent

...

Mr. Sachindra Shetye i/by Ms. Shamika Ranade for the
Petitioner/Appellant.

Mr. Ravindra Sirsikar for MCGM.

***CORAM : SANDEEP K. SHINDE J.
DATE : MARCH 15, 2022.***

P.C. :

Pending Appeal, Corporation has sanctioned revised plan and issued part Occupancy Certificate on 13th July, 2021. It is at Page No.186 of the Appeal Memo.

2 In that view of the matter, impugned notice dated 4th February, 2021 issued under Section 353 of the Mumbai Municipal Corporation Act, 1881 does not survive. As a result, the impugned

order dated 22nd September, 2021 passed in Notice of Motion NO.768 of 2021 in Long Cause Suit No.637 of 2021 is quashed and set aside. Appeal is allowed and disposed of in aforesaid terms.

3 Mr. Shetye, learned counsel for the appellant, therefore, does not press Contempt Petition No.343 of 2021. It is disposed of as withdrawn.

4 As the appeal itself is disposed of, nothing survives in the application therein and same is also disposed of.

(SANDEEP K. SHINDE, J.)