

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1870 of 2022
IN
APPEAL FROM ORDER ST NO.20044 OF 2021

Vadilal Kunwarji Gada .. Applicant
Versus
The Municipal Corporation of .. Respondent
Gr.Mumbai

...

Mr.Atharva Dandekar i/b Ekta Tripathi for the applicant.
Mr.Om Suryawanshi for the respondent MCGM.

CORAM: BHARATI DANGRE, J.
DATED : 28th MARCH, 2022

P.C:-

1 Interim Application No.1870/2022 is filed seeking condonation of delay under the misconception that the Appeal is filed belatedly. However, the office has clarified that there is no delay.

2 In the wake of the above, IA No.1870/22 is disposed off.

3 The Appeal can be disposed off by directing the City Civil Court, Dindoshi to decide the Notice of Motion NO.407/22 filed in L.C. Suit No.1400/21 within the stipulated

period, since it was noticed that the ad-interim is refused in favour of the plaintiff on 6/8/2021 and the Appeal was not circulated till date. The aforesaid fact justify the following order :-

ORDER

- (i) The City Civil Court, Borivali Division shall finally decide the Notice of Motion No.407/2022 on or before 16/4/2022.
- (ii) The plaintiff as well as the MCGM shall appear before the learned Judge on 31/3/2022 and make a request for taking up the case on Board.
- (iii) The plaintiff and the defendant shall render all their co-operation to the learned Judge in disposing off the aforesaid Notice of Motion.

(SMT. BHARATI DANGRE, J.)