

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Appeal from Order No. 1032 / 2019
Alongwith
Civil Application (CAA) No. 1194 / 2019
and
Interim Application No. 679 / 2020
in
Appeal from Order No. 1032 / 2019

Abdul Azim Abdul Rehman

... Appellant

Versus

The Municipal Corporation of Greater
Mumbai and Anr.

... Respondents

Mr. B.G. Tangsali i/by Mr. Ajay Tripathi, Advocate for Appellant.
Mr. R.Y. Sirsikar, Advocate for MCGM.

CORAM : SANDEEP K. SHINDE, J.
DATE : 29th MARCH, 2022.

P.C.

Heard. Learned Counsel for the parties.

1. Appellant-Plaintiff instituted the suit in the City Civil Court, Bombay on 23rd June, 2014, seeking declaration that the Shop No. 15

and 16 on plot of land bearing No. CTS-344, Plot No. 419, cannot be demolished without following due process of law. Paragraph No. 6 of the impugned order reveals that Corporation had issued the notice on 3rd August, 2013. After which the suit shops on municipal plot bearing Survey No. 419 CTS-344 were demolished. The demolition orders are at Page No. 114 and 118. Even otherwise, Appellants have not placed on record permission to contract suit shops. In that view of the matter, the learned trial Court has rightly declined interim protection. In consideration of these facts, I have no reason to interfere with the impugned order. Appeal is dismissed, including all applications therein.

(SANDEEP K. SHINDE, J.)

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