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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Appeal from Order No. 612 / 2019

Jayashree Narendra Gala

... Appellant

Versus

Municipal Corporation of Greater Mumbai

... Respondent

Mr. Anilkumar K. Patil, Advocate for the Appellants.

Mr. Ravindra Sirsikar, Advocate for the Respondent.

CORAM : SANDEEP K. SHINDE, J.

DATE : 7th MARCH, 2022.

P.C.

1. Plaintiffs' grievance is that, the Corporation without following due process of law, removed shutter affixed to the suit shop premises. Appellant-Plaintiff thus, instituted the suit in September, 2011, seeking a decree of mandatory injunction. Pending suit, the learned trial Court declined the interim mandatory injunction, as sought. That order is under challenge.

2. In consideration of the facts of the case, I deem it appropriate

not to interfere with the impugned order in the suit, then instituted in the year 2012. Instead it would be expedient in the interest of the parties, to request the trial Court to conclude the trial in the Long Cause Suit No. 216/2012 preferably before 31st December, 2022. As such learned trial Judge shall conclude the trial on its own merits, without being influenced by the interlocutory orders.

3. Appeal is disposed of in the aforesaid terms.

(SANDEEP K. SHINDE, J.)