

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

**APPEAL FROM ORDER NO.1123 OF 2022
WITH
INTERIM APPLICATION NO.30090 OF 2022
IN
APPEAL FROM ORDER NO.1123 OF 2022**

Shree Shanti Niketan CHS Ltd.
through the Secretary Ravindra
Shivaji Parab

...Appellant

Versus

Municipal Corporation of Greater
Mumbai and Ors.

...Respondents

...

Mr. Anil Mishra with Mr. Vijay Shukla for the Appellant.
Mr. Ravindra Shivaji Parab, Secretary of the Appellant, present.
Mr. R.Y. Sirsikar, for Respondent No.1- MCGM.
Mr. H.N. Vakil and Ms Shriya Mehta i/b. M/s. Mulla & Mulla and
Craigie Blunt and Caroe for Respondent No.2.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 20th DECEMBER, 2022.

P. C. :-

1. The Appellant has filed a Notice of Motion No.2600 of 2022 in L.C. Suit No.1655 of 2022 challenging notice under Section 354 of the Mumbai Municipal Corporation Act, 1888. By order dated 22/07/2022, the Trial Court had directed both the parties to maintain status quo. On 28/11/2022 the Trial Court rejected the request of the

Appellant for one month's time to vacate the premises. Being aggrieved by the said order, the Appellant has filed this appeal.

2. Learned counsel for the Appellant states that the Appellant shall vacate the premises within two weeks. The statement is accepted.

3. The Respondent shall not take any coercive action for a period of two weeks from the date of this order.

4. The appeal as well as interim application stands disposed of in view of the statement made by the learned counsel for the Appellant.

(SMT. ANUJA PRABHUDESSAI, J.)

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