

Amol

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

WRIT PETITION NO. 2145 OF 2010

Thane Municipal Corporation
V/S.
Madhukar D. Gupte And Ors.

Petitioner

Respondents

...

Mr. Akshay J. Kandarkar i/b. Rajesh Datar for Respondent Nos. 1 to 8.

....

CORAM : RAJESH S PATIL, J.

DATED : 25th January, 2023

P.C.:

1. None appeared for the petitioner/original defendant No.1. Advocate for the respondent Nos. 1 to 8 states that his client has filed a suit in the trial Court, in which exhibit-5 for interim relief was moved, to restrain the Corporation from taking action, pursuant to notice dated 8th July, 2002 and 30th September, 2005. The said exhibit-5 application was rejected. Hence, the plaintiff filed Misc. Civil Appeal before the District Court at Thane. The said Misc. Civil Appeal was allowed by order dated 14th October, 2009. Against the order passed by the District Court, the Thane Municipal Corporation has filed the present Writ Petition. In this Writ Petition 'Rule' issued on 06th December, 2010. The

present Writ Petition is pending for final hearing.

2. Advocate for the Respondent has today tendered photo coy of case status of the Trial Court proceeding obtained by him through website of e-Court of Maharashtra. The said status shows that Special Civil Suit No. 507 of 2005 was disposed of by order dated 13th February, 2012. The said photo copy is taken on record and marked “X” for identification.

3. In view of the same the present Writ Petition is disposed of as infructuous.

(RAJESH S. PATIL, J.)