

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

**INTERIM APPLICATION NO.12817 OF 2023
IN
FIRST APPEAL (ST) NO.15663 OF 2023**

M/s. A. Gafoor and Company Thr. Its

Partner Hifzur Rehman Abdul Hamid Ansari ...Applicant

Versus

Municipal Corporation for Greater Mumbai ...Respondent

Adv. Shobit Shukla i/by Mr. Ashok Pande for the Applicant.
Mr. Santosh Parad for the Respondent-MCGM.

CORAM : RAJESH S. PATIL, J.

DATED : 10th OCTOBER, 2023.

PC.:

1. This First Appeal challenges Judgment and Order dated 6 May, 2023 passed by City Civil Court in L.C. Suit No.825 of 2014.
2. The L.C. Suit No. 825 of 2014 was filed by the Appellant herein, challenging Notice dated 15 March, 2014 issued by the Mumbai Municipal Corporation under Section 354(A). By the impugned Judgment and Order of the City Civil Court, Bombay has dismissed the Suit on 6 May, 2023. The present First Appeal challenges the said Judgment and Decree dated 6 May, 2023.

3. The counsel for the Appellant on a query raised by this Court states that under Right to Information Act, his client has obtained a copy of Notice dated 15 March, 2018, issued by the Mumbai Municipal Corporation under Section 351 of the Mumbai Municipal Corporation Act.

4. The counsel for the Appellant further states to the Court that his client were never served a copy of Notice dated 15 March, 2018. His client has obtained the said Notice dated 15 March, 2018 under Right to Information Act, and no action has been taken by the Corporation, thereafter, as per his instruction received from the client, he seeks liberty to file reply to the Corporation's to the Notice dated 15 March, 2018.

5. In view of the same, the Appellant desires to file a reply to Notice issued under Section 351, they may do so immediately.

6. In view of the same, the First Appeal (St) No.15663 of 2023 is disposed of as withdrawn.

7. Interim Application is accordingly disposed of.

(RAJESH S. PATIL, J.)