

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

APPEAL FROM ORDER NO. 485 OF 2023

Yashwant Tukaram Gotad ...Appellant

Versus

The Municipal Corporation of Greater
Mumbai

...Respondent

WITH

INTERIM APPLICATION NO. 12955 OF 2023

Mr. Kishor Patil, i/b Pratik Rahade, for the Appellant.
Ms. Smita Tondwalkar, for the Respondent – MCGM.
Mr. Vilas Rajaram Jadhav, Jr. Engineer, S/Ward, present.

CORAM: N. J. JAMADAR, J.

DATED : 28th JUNE, 2023

PC:-

1. Heard the learned Counsel for the parties.
2. Mr. Patil, the learned Counsel for the appellant, on instructions, seeks leave to withdraw the appeal, provided a reasonable time is granted to the appellant to remove notice structure as the monsoon has commenced.
3. The request being reasonable, appeal stands disposed, with liberty to the appellant – plaintiff to remove the notice structure within three months from today.
4. No coercive action be taken during the said period of three months.

5. In the event the appellant – plaintiff does not remove the notice structure, on his own, within the said period of three months, the respondent shall be at liberty to take appropriate action in accordance with law.

6. In view of disposal of the appeal, interim application does not survive and stands disposed.

[N. J. JAMADAR, J.]