

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER(ST) NO. 21269 OF 2023
WITH
INTERIM APPLICATION NO. 15416 OF 2023
WITH
INTERIM APPLICATION (ST.) NO.21275 OF 2023

Chanda Gangaram Bhagtani

...Appellant/Applicant

Versus

The Commissioner The Municipal Corporation
of Greater Mumbai and Another.

..Respondents

...

Ms. Sanjukta Dey a/w Ms. Priya Dangat i/by Yende Legal Associates LLP, for
Appellant/ Applicants.

Mr. R.Y. Sirsikar, for Respondents- MCGM.

...

CORAM : SANDEEP V. MARNE, J.

DATE : SEPTEMBER 20, 2023.

P.C.:

1. By this Appeal, Appellant challenges order dated 3 May 2023 refusing to grant ad-interim relief in the draft notice of motion. The City Civil Court on the same day had restrained the corporation from taking any coercive action against the notice structure for a period of three weeks.

2. After arguing the Appeal for some time, the learned counsel for

Appellant would seek leave to withdraw the Appeal by making a statement that the Appellant would opt for filing an application for regularization of the suit structure. She would further submit that the Appellant accordingly wishes to withdraw the present Appeal as well as the suit filed before the City Civil Court.

3. Reserving the liberty for the Appellant to file an application for regularization of the suit structure, the Appeal is disposed of as withdrawn.

4. Ad-interim protection earlier granted by the City Civil Court shall continue to operate for a period of four weeks from today.

5. In view of disposal of Appeal, both Interim Applications do not survive and stand disposed of accordingly.

(SANDEEP V. MARNE, J.)