

Vidya Amin

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

**APPEAL FROM ORDER NO. 1005 OF 2014
WITH
INTERIM APPLICATION NO. 18233 OF 2022
WITH
CIVIL APPLICATION NO. 1219 OF 2014**

Prathamesh Tower Co-op. Housing Society Ltd. ... Appellant/
Applicant

Versus

Municipal Corporation of Greater Mumbai & Ors. ... Respondents

Ms. Shrutika Lakhan i/b. Mr. Bharat Joshi for the
Appellants/applicant.

Mr. R.Y. Sirsikar for respondent no. 1/MCGM.

Mr. Vashnavi Mudras i/b. Mr. Sachin A. Mhatre for respondent no. 4.

**CORAM: G. S. KULKARNI, J.
DATED: 4 January 2023**

P.C.

1. This is an appeal of the year 2014. The order impugned in this appeal is an interim order dated 6 August, 2014 passed on Notice of Motion No. 1535 of 2014 in S.C. Suit No. 1477 of 2014 whereby the learned Judge of City Civil Court, Dindoshi, Borivali Division has rejected the appellant/plaintiff's Notice of Motion praying for an interim injunction.

2. Perusal of the orders on this appeal indicate that there was no protection granted to the appellant in the present proceedings at any

point of time, which is a period of almost 8 years. In the aforesaid circumstances, I find no warrant in any further adjudication on the present proceeding.

3. At this stage, it is informed by learned counsel for the appellant that she will take discharge. Learned counsel is permitted to do so by undertaking formalities in the office.

4. Appeal from Order is disposed of with liberty to the parties to urge all contentions in the pending suit.

5. In view of disposal of Appeal from Order, Interim Application as well as Civil Application do not survive and the same are accordingly disposed of.

G. S. KULKARNI, J