

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 392 OF 2021
WITH
INTERIM APPLICATION NO. 3201 OF 2021

Aishabai Abdullabhai Khan

...Appellant

V/s.

The Municipal Corporation of
Greater Mumbai

...Respondent

Ms. Shweta R. Rathod i/by. Elixir Legal Services for the Appellant.

Ms. Tondwalkar, for Respondent - B.M.C.

CORAM : SANDEEP V. MARNE, J.

DATED : 18 DECEMBER 2023.

P.C. :

1) The challenge in the Appeal is to the Order dated 23 October 2021 passed by the City Civil Court refusing to grant *ad-interim* relief in Notice of Motion No. 2326 of 2021. The learned counsel for the Appellant would submit that the Appellant has expired.

2) Considering the nature of order that is under challenge in the present appeal, it is not necessary to keep the Appeal pending. Instead, the legal heirs of the Appellant, as and when brought on record before the City Civil Court, may pursue Notice of Motion No. 2326 of 2021 for hearing. The Appeal is accordingly **disposed of**.

3) With disposal of the Appeal, Interim Application also stands disposed of.

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SANDEEP V. MARNE, J.