

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.730 OF 2023
WITH
INTERIM APPLICATION NO.14985 OF 2023
IN
APPEAL FROM ORDER NO.730 OF 2023

Ajit Nolini Bera

....APPELLANT

VS

The Municipal Corporation
of Greater Mumbai

....RESPONDENT

...

Mr. Ashok R. Pande, Ms. Shobhit Shukla, Mr. Gaurav Pande for the
Appellant/Applicant.

Ms. Smita Tondwalkar for Respondent-MCGM.

...

CORAM: SANDEEP V. MARNE, J.

DATE : SEPTEMBER 08, 2023.

P.C.:

1 The learned Counsel appearing for the Appellant on instructions seeks leave to withdraw the Appeal. He however prays that since the order challenged in the Appeal is only an ad-interim order, the City Civil Court be directed to expedite the hearing of the Notice of Motion. The Appeal is accordingly permitted to be withdrawn and dismissed. The City Civil Court is requested to hear and decide the Notice of Motion as expeditiously as possible preferably within a period of one month from today.

2 The Trial Court shall independently decide the Notice of Motion without being influenced by the observations made while rejecting *ad-interim* relief.

3 In view of disposal of the Appeal, the Interim Application is also disposed of accordingly.

(SANDEEP V. MARNE, J.)